United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

Vol. 166 WASHINGTON, WEDNESDAY, FEBRUARY 5, 2020 No. 24

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 5, 2020.

I hereby appoint the Honorable HENRY CUELLAR to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2020, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with time equally allocated between the parties and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

TELEHEALTH INCREASES ACCESS TO CARE FOR MONTANANS

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

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

For Montana seniors with mobility issues, getting out to see a doctor can be difficult and can delay their care leading to worse health outcomes.

Montana, unfortunately, also has the highest suicide rate in the Nation. Thousands of Montanans lack adequate access to mental healthcare.

Telehealth can fix these problems. Telehealth increases access to care, brings down healthcare costs, and, in some cases, saves lives.

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

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

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

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

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

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

GUN VIOLENCE SURVIVORS WEEK

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

Mr. DEFAZIO. Mr. Speaker, last night in this Chamber, we heard a bloviating, self-congratulatory speech full of exaggerations, half-truths, and outright falsehoods. The President pretended to have addressed, or was going to address, concerns of the American people.

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

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

And then he did devote one sentence—one sentence—to infrastructure. What happened to the $2 trillion plan he campaigned on and carries on about all the time? Well, so far, he has only proposed cuts.

But one issue of vital concern to the American people that is the focus this week—this is National Gun Violence Survivors Week—did not receive a single mention by the President, despite the fact that several commonsense bipartisan reforms and programs have passed this House and have received no action in the Senate in a year.

H.R. 8, the Bipartisan Comprehensive Background Checks Act, passed on February 27. No action in the Senate.

The Enhanced Background Checks Act passed February 28—bipartisan. Again, no action in the Senate.

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

Over the last 10 years, 35,000 guns, because of that provision, were sold to people who were not qualified under Federal law to have the guns. And guess what. Then the Feds contact the FBI who screwed up the background check, contacts the local law enforcement and says, ''Hey, go get the gun

from that felon,'' endangering our local law enforcement.

This would plug that loophole.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you, Senator Dole, for your patriotism and love of country.

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

CHAOS AT THE IOWA CAUCUS

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

As Senate Majority Leader MCCONNELL said yesterday, these same Democrats who want to take over everyone's healthcare and micromanage the entire economy couldn't even organize their own traditional Iowa caucuses.

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

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

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

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

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

According to Chip Neumann, president of the organization, therapy dogs provide veterans unconditional love. They do not judge their owners when they have breakdowns from stress or external triggers and can react and intervene if the veteran is having an episode and can often prevent them from spiraling out of control.

There is just something wonderful about dogs, as we all know.

The training sessions also act as mini therapy sessions, as veterans realize they are with others dealing with the same issues.

Midwest Battle Buddies has seen the possible impact service dog therapy can have for our cherished veterans.

I look forward to passing the PAWS for Veterans Therapy Act to extend access to service dog therapy throughout the VA, to provide the best treatment for America's veterans.

HONORING GUN VIOLENCE SURVIVORS' WEEK

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

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

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

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

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

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

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

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

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

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

We refuse to accept that, because we have passed bipartisan legislation that will help save lives, legislation like the Bipartisan Background Checks Act, a commonsense bill that will keep guns away from those who should not have them.

□ 1015

We have passed H.R. 1112, the Enhanced Background Checks Act of 2019, which would close the Charleston loophole.

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

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

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

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

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

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

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

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

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

HONORING THE LIFE AND LEGACY OF OFFICER ALAN McCOLLUM

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

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

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

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

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

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

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

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

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

HONORING THE SERVICE OF OFFICER MICHAEL LOVE

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

Over the weekend, he was conducting a routine traffic stop when his patrol vehicle was struck, pinning him down.

I had heard from many of his fellow officers of his optimistic and indomitable spirit, which I had the opportunity to witness firsthand when I visited him and his wife, Lauren, in the hospital. He told me that, despite everything he is going through, even knowing the months of recovery that lie ahead, he would still sign up to serve our community as a Corpus Christi police officer.

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

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

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

GUN VIOLENCE SURVIVORS WEEK

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

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

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

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

The paralysis around preventing gun violence is disgusting, and it is deadly. This story line that preventing people from buying assault weapons or stockpiling ammunition is somehow infringing upon their rights is deeply hurtful, and it is wrong thinking.

Including suicides by guns, there were 177 deaths on New Year's Day alone. There were three mass shootings, and the lives lost included three children between the ages of 12 and 17. That's just one day, the first day of this year. Yet, Republicans in the Senate continue to refuse to move any bill that might keep more families from getting that phone call.

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

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

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

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

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

The survivors that we honor today, the families of those we have lost, and the countless Americans who wonder if they might be next deserve so much more from us.

I stand here today representing all of the loss of the survivors and what they have experienced. But I stand here, representing the hope that my granddaughter, Kamryn Anne Marie Watson, is safe in her school, just like all of the other children should be. Nothing less is acceptable.

PROTECTING THE RIGHT TO ORGANIZE

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

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

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

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

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

Even worse, the risk of increased liability incentivizes large businesses to stop contracting out to small businesses. This would force large businesses to keep more jobs in-house which, ultimately, raises prices for both businesses and consumers.

The expanded definition of joint employer is also detrimental for franchise businesses. A recent study showed that the definition change has led to a 93 percent increase in lawsuits against franchise businesses, costing them over $33 billion annually, and leading to the loss of 376,000 jobs.

The study also showed that the majority of franchise businesses have been offering less services just in order to avoid lawsuits. This chilling effect hurts, again, both workers and consumers alike.

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

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

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

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

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

□ 1030

RECOGNIZING NATIONAL GUN VIOLENCE SURVIVORS WEEK

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

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

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

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

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

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

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

Terry DeCarlo, who is pictured here on the far right, was retiring the Monday after the Pulse nightclub shooting from the LGBT+ Center in Orlando. Terry couldn't retire when his community needed him most, so he stayed on for a year, bringing in supplies, helping with mental health, helping the families coming from around the country to help their loved ones who were still surviving.

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

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

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

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

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

It is time for action.

ADDRESSING SERIOUSNESS OF SLAVERY AND HUMAN TRAFFICKING

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

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

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

Everyone is vulnerable to human trafficking, women, children, foster youth, Native Americans, immigrant children, those with disabilities, and the LGBTQ community. That is why the public must be educated on human trafficking and reject the misconception that it can't or won't happen to them or someone they know.

While there is not an exact statistic on how many people are trafficked in the United States, Secretary of State Mike Pompeo assessed as many as 24.9 million people—adults and children—are trapped in this human form of modern slavery around the world, including our own country.

We may also assume trafficking occurs only in major cities like New York or Las Vegas, but it also happens in suburbs, rural areas, and on Tribal or farmland. In Nebraska, 900 individuals are being sold online for sex each month, and 75 percent of them are from just Omaha.

I am grateful for the steps Nebraska has taken to combat trafficking and protect survivors, but legislation can do only so much. Organizations such as the Department of Justice, Department of Homeland Security, and the Department of State have worked hard to fight this global issue and have been trained to locate and deter human trafficking.

I thank the Nebraska State Patrol, the sheriff departments, and local law enforcement for their diligent work in capturing traffickers and rescuing survivors. I thank the many nonprofit volunteer organizations that are dedicated to making a difference in combating this crime.

In honor of the National Slavery and Human Trafficking Month this past January, we must commit to work together to address this heinous crime and ensure that all are safe from exploitation.

BRINGING AWARENESS TO IMPORTANCE OF MENTORING

Mr. BACON. Madam Speaker, I rise today in honor of National Mentoring Month from this past January. As a member of the Youth Mentoring Caucus, I rise to bring awareness to the importance of supporting strategies and policies that enhance mentoring programs and increase the procurement of quality volunteer mentors.

Research has shown that mentoring relationships have positive effects on people's lives in so many ways. Mentoring reassures our youth that they are not alone in dealing with everyday challenges; creates opportunity for personal growth and development; and provides youth, especially those in foster care, with vital relationships, networks, and counseling services needed to navigate life and successfully transition into adulthood.

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

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

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

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

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

RECOGNIZING GUN VIOLENCE SURVIVORS WEEK

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

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

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

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

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

I am in the process of finalizing bipartisan, bicameral legislation with my colleague Congressman KINZINGER from Illinois, and our measure creates a new grant program to provide the victims of gun violence, who often become repeat victims of predators themselves, with the resources they need to stop this vicious cycle. This might include bus money, clothes for a job interview, or some groceries. Often, victims need help finding an affordable apartment or getting off drugs.

Violence intervention programs, like the ones that our bill will support, work. They reduce recidivism and hospital readmissions, jail time, and unemployment. This is why my previously introduced bill was endorsed by organizations such as the NAACP, the Fraternal Order of Police, and the American College of Surgeons.

The University of Maryland's Shock Trauma Center has been rated the top trauma center in the world. They support our troops in Iraq and Afghanistan. They do research as it relates to all sorts of trauma. Shock Trauma is led by Dr. Tom Scalea, with the great doctors, nurses, and aides who work in that great institution. They have implemented this program that I am talking about here today, and let me tell you, it works.

I am excited to reintroduce my bill so we can work on lowering the rates of firearm deaths throughout the country.

HONORING EDDIE BRIDGES

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

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

Members of Congress rarely get the opportunity to honor those who have truly dedicated their lives to the public good. That is because it is increasingly

rare to encounter those who are truly selfless, truly dedicated to a cause larger than themselves, and who truly care about preserving the best of our natural resources for future generations. Greensboro's Eddie Bridges is such a rare person.

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

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

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

□ 1045

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

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

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

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

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

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

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

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

PRESIDENT TRUMP HIGHLIGHTS NUMEROUS SUCCESSES

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

Mr. SMITH of Missouri. Madam Speaker, just over 12 hours ago, President Donald J. Trump stood in this Chamber and delivered an incredible State of the Union Address. He highlighted numerous successes during his time as President of the United States:

Over 7 million jobs created;

Record unemployment—record unemployment—for five decades;

The lowest unemployment in over 70 years for women;

Record unemployment for African, Hispanic, and Asian Americans;

Doubling of the child tax credit from $1,000 to $2,000;

Orchestrating phase one of the China trade agreement, which increases the amount of agriculture products that the Chinese have to purchase from American farmers—the largest purchase in the history of our country;

Passing of the USMCA agreement. The President campaigned on it. It was a promise made. It was a promise kept;

The largest military pay raise in the history of this country.

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

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

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

Folks, that is chaos in government.

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

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

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

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

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

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

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

RECOGNIZING MILKEN EDUCATOR AWARD RECIPIENT MELISSA FIKE

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

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

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

As a winner, she receives an award, the recognition of her colleagues, and a check for $25,000.

Teachers make an indelible mark on the lives of young people through their kind words, encouraging smiles, impartation of knowledge, or by helping

plant a seed that bears fruit in future years. Melissa Fike has distinguished herself and made an impact that will be felt for years to come.

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

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

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

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

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

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

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

STOP DRUG SMUGGLING BY FILLING THE TUNNELS ASAP

Mrs. HARTZLER. Madam Speaker, last week, our U.S. Customs and Border Patrol agents announced the discovery of a highly sophisticated, illegal, 4,309-foot cross-border tunnel from Mexico into California built by the drug cartels.

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

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

The process of closing drug tunnels is arduous and time-consuming. It often takes 3 to 4 months to abate this threat. That is unacceptable.

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

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

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

CAREER AND TECHNICAL EDUCATION MONTH

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

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

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

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

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

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

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

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

With this kind of support, we can help empower students and better prepare them for a 21st century workforce. Most recently, that includes H.R. 5092, the Counseling for Career Choice Act, a bill that would invest in career counseling for high school students as well as professional development opportunities for the counselors who support them.

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

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

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

RECESS

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

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

□ 1200

AFTER RECESS

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

PRAYER

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

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

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

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

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

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

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

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

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

Mr. LAHOOD led the Pledge of Allegiance as follows:

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

WELCOMING RABBI SETH FRISCH

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

There was no objection.

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

Since his ordination in 1986, at the Jewish Theological Seminary of America in New York, Rabbi Frisch has been a source of comfort and counsel to Jews around the world. In his current posting as rabbi and teacher of the New Shul of Philadelphia, Rabbi Frisch helps serve as a guide for those who want to learn more about what it means to be Jewish in a safe and supporting setting.

In a way, today's opening prayer was a homecoming for Rabbi Frisch, who previously served as a legislative assistant to the chairman of the United States Senate Committee on Foreign Relations.

I pray that we will all heed his words today, that out of many, we are one Nation. Let us strive to put our divisions behind us and realize our dream of a country indivisible with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

NATIONAL GUN VIOLENCE SURVIVORS WEEK

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

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

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

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

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

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

PUNXSUTAWNEY PHIL

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

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

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

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

Last week, activists claimed that Punxsutawney Phil should be replaced by an animatronic groundhog powered by artificial intelligence.

Well, I believe in creating jobs, not eliminating them. And Punxsutawney Phil is no exception. I will always stand up for the hardworking men, women, and rodents in the 15th District of Pennsylvania.

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

GUN VIOLENCE IS AN EPIDEMIC

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

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

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

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

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

I will continue to rise until we end this epidemic.

HIGHLIGHTING IMPORTANCE OF PROTECTING THE SECOND AMENDMENT

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

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

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

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

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

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

GUN VIOLENCE SURVIVORS WEEK

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

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

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

Our country is faced with a growing epidemic, and it is our responsibility as lawmakers to take action to protect our communities.

That is why I am proud to have joined Senator ELIZABETH WARREN, Congressman HANK JOHNSON, and a group of colleagues to introduce the Gun Violence Prevention and Community Safety Act.

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

SUPPORTING MAGNET SCHOOLS

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

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

Last week, I had the opportunity to visit Dutch Fork Elementary School Academy of Environmental Sciences, a magnet school in Irmo, South Carolina. Dutch Fork is one of many amazing examples of how magnet schools are important for academic excellence. I had the opportunity to meet with students and teachers and talk with them about their unique educational experiences.

I was thankful to talk with Katrina Goggins, the Director of Communications for District Five of Lexington and Richland Counties, Principal Julius Scott, Assistant Principal Brandon Gantt, School District Five Magnet Director Sara Wheeler, and Shirley Cope.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism with the courageous leadership of President Donald Trump.

HONORING THE UNBREAKABLE BOND OF MARK AND DAVID CARLES

(Mr. ROSE of New York asked and was given permission to address the House for 1 minute.)

Mr. ROSE of New York. Madam Speaker, I rise today in honor of Mark and David Carles, two brothers with an unbreakable bond.

Ever since they were kids growing up on Staten Island, Mark and his older brother, David, have been absolutely inseparable. When Mark was diagnosed with a rare form of liver cancer in October of 2018, David postponed his baseball career to take care of his brother.

While Mark was using a breathing tube and unable to speak, the brothers communicated using sign language. After a life-threatening surgery, the first thing Mark did was sign David's name.

Mark is a talented runner who, with David's support, refused to let chemotherapy get in the way of his training, whether it was doing laps down hospital corridors or running around the dining room table.

The brothers have even encouraged their father, Sandy, to run with them as well. All three train for road races together. Mark recently finished the Staten Island Athletic Club 5K in under 24 minutes.

Mark and David, your deep commitment to one another is an inspiration to Staten Island, all of New York City, and all of America.

Mark, you are a fighter. You inspire your family, your friends, and all those who you fight for as well.

HONORING THE LEGACY OF METAMORA HIGH SCHOOL COACH PAT RYAN

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

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

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

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

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

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

Go Redbirds.

□ 1215

RECOGNIZING BLACK HISTORY MONTH

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

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

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

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

These Americans are quietly embedded in our Nation's history, but today, this month, we celebrate them, their work, and their dedication.

RECOGNIZING EINAR MAISCH

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

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

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

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

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

RECOGNIZING NATIONAL GUN VIOLENCE SURVIVORS WEEK

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

Mr. PAYNE. Madam Speaker, I rise today to honor Gun Violence Survivors Week.

Every year, roughly 36,000 Americans are killed from gun violence. This is an

average of 100 Americans every single day. Also, there are close to 100,000 Americans injured every year from gun violence, yet we do very little to prevent these preventable injuries and deaths.

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

HELPING VETERANS WITH TRAINED SERVICE DOGS

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

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

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

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

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

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

AMERICANS WILL JUDGE

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

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

That is the oath Senators swore on January 16. It is the oath created by Senators when they tried the first impeachment of a President in 1868. It is an oath rooted in the Revolution fought by their grandparents to create a republic of laws, not kings. It is an oath whose power derives from its common sense: that a juror must always be impartial for a trial to be fair. And it is an oath made necessary by the fact that Senators are not, as we are not, under normal circumstances, impartial in our work.

The words chosen for this oath recognize that when our Constitution calls Senators to try impeachment, it calls them away from their role as partisans. When that oath is taken, Senators are supposed to step back from the affiliation of party or political kinship with or opposition to the President on trial. They are required, as the oath plainly states, to ''do impartial justice according to the Constitution and laws.''

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

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

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

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

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

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

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

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

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

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

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

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

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

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

PUPPIES ASSISTING WOUNDED SERVICEMEMBERS FOR VETERANS THERAPY ACT

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

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4305

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Puppies Assisting Wounded Servicemembers for Veterans Therapy Act'' or the ''PAWS for Veterans Therapy Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) According to the analyses of veteran suicide published by the Department of Veterans Affairs in August 2016 and titled ''Suicide Among Veterans and Other Americans'', and in June 2018, titled ''VA National Suicide Date Report''—

(A) an average of 20 veterans died by suicide each day in 2014;

(B) mental health disorders, including major depression and other mood disorders, have been associated with increased risk for suicide;

(C) since 2001, the proportion of users of the Veterans Health Administration with mental health conditions or substance use disorders has increased from approximately 27 percent in 2001 to more than 40 percent in 2014; and

(D) overall, suicide rates are highest among patients with mental health and substance use disorder diagnoses who are in treatment and lower among those who received a mental health diagnosis but were not at risk enough to require enhanced care from a mental health provider.

(2) The Department of Veterans Affairs must be more effective in its approach to reducing the burden of veteran suicide connected to mental health disorders, including post-traumatic stress disorder (in this section referred to as ''PTSD''), and new, rigorous scientific research provides persuasive weight to the growing anecdotal evidence that service dogs ameliorate the symptoms associated with PTSD, and in particular, help prevent veteran suicide.

(3) Several organizations have proven track records of training service dogs for veterans with severe PTSD and dramatically improving those veterans' quality of life, ability to re-enter society, and, most importantly, their chances of survival.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(D) the Department of Veterans Affairs will have no liability with respect to the dog;

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

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

(d) VETERAN ELIGIBILITY.—

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

(A) is enrolled in the patient enrollment system in the Department of Veterans Affairs under section 1705 of title 38, United States Code;

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

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

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

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

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

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

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

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

(f) GAO BRIEFING AND STUDY.—

(1) BRIEFING.—Not later than one year after the date of the commencement of the pilot program under subsection (a), the Comptroller General of the United States shall provide to the Committees on Veterans' Affairs of the House of Representatives and the Senate a briefing on the methodology established for the program.

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

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

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

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

(g) DEFINITION.—For the purposes of this section, the term ''service dog training instructor'' means an instructor who provides the direct training of veterans with PTSD and other post-deployment issues in the art and science of service dog training and handling.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. TAKANO) and the gentleman from Tennessee (Mr. DAVID P. ROE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. TAKANO. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to insert extraneous material on H.R. 4305, as amended.

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

There was no objection.

□ 1230

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

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

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

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

Mr. Speaker, I think everyone in this room today can agree that dogs—and animals, more broadly speaking—make great companions. In fact, in 2018, Americans spent $72 billion on their pets. Years of research have illustrated numerous positive health outcomes, such as lowering blood pressure.

I intend to vote ''yes'' on this bill; however, I do have concerns about this bill becoming law before VA's study examining the possible therapeutic benefits of veterans with PTSD receiving either a service dog or an emotional support dog is complete.

Service dogs and emotional support dogs are very different, and it is important that we understand the efficacy of providing veterans with PTSD with either type of dog. Relying on the dog for companionship is far different than using dogs as a form of behavioral health treatment.

Mr. Speaker, like any other treatment, therapy, or pharmaceutical provided to veterans, research must be performed so informed policy and treatment decisions can be made. A draft monograph outlining VA's findings is complete and currently undergoing peer review by the National Academy of Sciences. The VA anticipates having a final report to Congress not later than the end of July 2020.

Before this bill was placed on the Consensus Calendar, I had hoped to wait to have the findings of this study so that we could properly review and mark up this legislation, ensuring veterans receive effective, evidence-based treatments for PTSD.

Mr. Speaker, we are passing this legislation without scientific evidence supporting the effectiveness of service dogs for the treatment of PTSD. However, I support this bill because its placement on the Consensus Calendar reflects the will of the Members of this Chamber, and years of research have shown positive health outcomes related to owning dogs for companionship.

When we receive the study, I intend to work with our Senate colleagues to improve and strengthen this legislation so that we can ensure veterans diagnosed with PTSD receive effective treatments.

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

Mr. DAVID P. ROE of Tennessee. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of H.R. 4305, as amended, the Puppies Assisting Wounded Servicemembers for Veterans Therapy Act, or the PAWS Act.

This bill is sponsored by Congressman STEVE STIVERS from Ohio. STEVE is a brigadier general in the Army National Guard, where he wore our Nation's uniform for over three decades of service in Ohio and overseas in support of Operation Iraqi Freedom.

Needless to say, he knows firsthand the toll that military service can take and the need to ensure that the Department of Veterans Affairs is equipped to provide our veterans with all the services and supports that they need to not only recover from their wounds of war, but to lead healthy, full, and meaningful lives as civilians. The PAWS Act would provide VA with an additional tool to accomplish that goal by providing grants to organizations to assist veterans struggling with post-traumatic stress disorder and other mental health challenges through service dog training.

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

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

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

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

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

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

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

Ms. SHERRILL. Mr. Speaker, I thank Chairman TAKANO for yielding.

I rise today in support of H.R. 4305, the PAWS for Veterans Therapy Act. This important bipartisan legislation will create a pilot program within the Department of Veterans Affairs to give veterans access to treatment derived from working with service dogs.

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

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

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

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

Under the PAWS for Veterans Therapy Act, the VA will partner with nonprofit organizations working with veterans and service dogs to create work-therapy programs that help veterans learn the art and science of training dogs. After completing the program, the veterans may adopt their dogs to provide continued therapy.

Mission-based therapy has been proven to be a successful means of treating PTSD, and this legislation will enable

more veterans to access the care that service dogs can provide.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

In the interim, this has been studied at Purdue University and Kaiser Permanente, and the studies were conclusive: The efficacy of service dogs works. The results are undisputed. There is less anxiety. These veterans are on fewer drugs. There is a lower incidence of suicide.

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

Mr. Speaker, I appreciate my colleagues on both sides of the aisle. I urge them to support H.R. 4305.

God bless our veterans. It is time we give them the help they need.

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

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

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

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

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

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

This issue is particularly personal to me. I am an Army wife. I am married to a 30-year Army officer, an Apache pilot. I have a step-daughter currently on Active Duty, a son-in-law on Active Duty, and my other step-daughter is a physician at the VA.

While we make the decision to send men and women to fight for our country, we make the decision to support them for the rest of their lives. That is a nonpartisan responsibility, and it couldn't be more clear or more urgent, especially as we recognize the staggering rate of suicide in the veteran community.

□ 1245

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

The PAWS for Veterans Therapy Act will have a real impact on improving the well-being of our veterans. All you need to do is talk to a veteran suffering from depression or PTSD to understand what adopting a dog does for their lives.

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

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

Mr. JOHN W. ROSE of Tennessee. Mr. Speaker, I rise in support of the Puppies Assisting Wounded Servicemembers for Veterans Therapy Act, or PAWS for Veterans Therapy Act.

I thank the distinguished gentleman from Tennessee for yielding me this time and for his service to the good people of Tennessee.

I also wholeheartedly thank Representative STIVERS for approaching me about cosponsoring this outstanding policy proposal. His leadership on this issue is truly appreciated by me, but more importantly, by America's veterans.

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

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

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

join us in supporting our veterans and vote for the PAWS for Veterans Therapy Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The SPEAKER pro tempore (Mr. GARCÍA of Illinois). The question is on the motion offered by the gentleman from California (Mr. TAKANO) that the House suspend the rules and pass the bill, H.R. 4305, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PROTECT AND RESTORE AMERICA'S ESTUARIES ACT

Mr. MALINOWSKI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4044) to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4044

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Protect and Restore America's Estuaries Act''.

SEC. 2. MANAGEMENT CONFERENCE.

Section 320(a)(2)(B) of the Federal Water Pollution Control Act (33 U.S.C. 1330(a)(2)(B)) is amended by striking ''and Peconic Bay, New York'' and inserting ''Peconic Bay, New York; Casco Bay, Maine; Tampa Bay, Florida; Coastal Bend, Texas; San Juan Bay, Puerto Rico; Tillamook Bay, Oregon; Piscataqua Region, New Hampshire; Barnegat Bay, New Jersey; Maryland Coastal Bays, Maryland; Charlotte Harbor, Florida; Mobile Bay, Alabama; Morro Bay, California; and Lower Columbia River, Oregon and Washington''.

SEC. 3. PURPOSES OF CONFERENCE.

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

(1) by striking ''management plan that recommends'' and inserting ''management plan that—

''(A) recommends''; and

(2) by adding at the end the following:

''(B) addresses the effects of recurring extreme weather events on the estuary, including the identification and assessment of vulnerabilities in the estuary and the development and implementation of adaptation strategies; and

''(C) increases public education and awareness of the ecological health and water quality conditions of the estuary;''.

SEC. 4. MEMBERS OF CONFERENCE.

Section 320(c)(5) of the Federal Water Pollution Control Act (33 U.S.C. 1330(c)(5)) is amended by inserting ''nonprofit organizations,'' after ''educational institutions,''.

SEC. 5. GRANTS.

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

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

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

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

(2) by redesignating clauses (vi) and (vii) as clauses (viii) and (ix), respectively, and inserting after clause (v) the following:

''(vi) stormwater runoff;

''(vii) accelerated land loss;''; and

(3) in clause (viii), as so redesignated, by inserting '', extreme weather,'' after ''sea level rise''.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

Section 320(i)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1330(i)(1)) is amended by inserting '', and $50,000,000 for each of fiscal years 2022 through 2026,'' after ''2021''.

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

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. MALINOWSKI. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 4044, as amended.

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

There was no objection.

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

Mr. Speaker, I am proud to lead this bipartisan reauthorization of the National Estuary Program, a successful nonregulatory program to improve the water quality and ecological integrity of our Nation's estuaries, a program with a long history of support on both sides of the aisle.

Estuaries are extraordinarily productive ecosystems where fresh water from rivers and streams mixes with saltwater from the ocean.

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

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

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

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

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

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

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

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

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

I want to thank Congresswoman NAPOLITANO for her leadership of the Water Resources and Environment Subcommittee. I want to thank Congresswoman FLETCHER for her support as an original cosponsor, and Congressman LARSEN for making the bill even stronger, as well as more than two dozen of my colleagues, Democrats and Republicans alike, who have cosponsored this bill.

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

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

Mr. Speaker, I rise in support as well of H.R. 4044, the Protect and Restore American's Estuary Act.

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

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

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

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

It is because of this and many other reasons that I see on a day-to-day basis with the estuaries in my backyard that I want to urge support of this legislation.

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

□ 1300

Mr. MALINOWSKI. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Speaker, I rise today in support of H.R. 4044, the Protect and Restore America's Estuaries Act, a bipartisan piece of legislation to reauthorize and improve the National Estuary Program, the NEP. I thank Representative MALINOWSKI for his leadership on preserving our Nation's estuaries as well.

Puget Sound, where I am from, is the largest estuary by water volume in the contiguous United States, and the waters and wildlife that call it home are one of the cornerstones of northwest Washington's environment, culture, and maritime economy.

As co-chair of the Congressional Estuary Caucus, I strongly support efforts to ensure robust Federal investment in the National Estuary Program and its vital projects, which is why I am proud and very pleased to support the Protect and Restore America's Estuaries Act. This critical legislation reauthorizes the National Estuary Program through fiscal year 2026 and increases funding for this critical program to $50 million annually.

H.R. 4044 also includes language I authored making clear that NEP competitive funds must be allocated for NEP-listed estuaries or projects that relate to these estuaries' coastal resiliency. This will help ensure that the Environmental Protection Agency follows congressional intent for NEP dollars to support local estuary restoration projects.

I look forward to voting for H.R. 4044 to ensure local communities across the country can continue their work to protect and restore estuaries.

On a related note, I also want to rise in support of the PUGET SOS Act, which will be considered later today. Introduced by my colleagues in the Washington delegation, Representatives HECK and KILMER, this bill will improve and expand Federal engagement in Puget Sound recovery efforts.

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

Mr. MAST. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN).

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, I thank Congressman MAST for yielding.

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

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

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

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

prevention for the island's metropolitan area, which is located within the boundaries of the estuary.

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

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

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

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

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

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

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

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

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

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

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

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

NEW YORK-NEW JERSEY
HARBOR & ESTUARY PROGRAM,
New York, NY, February 4, 2020.

Hon. PETER A. DEFAZIO,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. DON YOUNG,
Ranking Member, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. GRACE F. NAPOLITANO,
Chairman, Water Resources and Environment Subcommittee, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. BRUCE WESTERMAN,
Ranking Member, Water Resources and Environment Subcommittee, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR CHAIRMEN DEFAZIO AND NAPOLITANO, RANKING MEMBERS YOUNG AND WESTERMAN: Thank you for your leadership in support of the cooperative conservation and management of our nation's vital estuaries, and in particular for the unanimous approval in your committee for HR 4044, a bill to reauthorize the National Estuary Program.

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

NEPs around the country are extremely efficient at leveraging funds to increase their ability to restore and protect their coastal ecosystems. The NEPs have obtained over $19 for every $1 provided, generating over $4 billion for on-the-ground efforts since 2003. HR 4044 would amplify and improve on the reforms signed into law in the 114th Congress that created a competitive program to address urgent challenges while streamlining the administrative costs of the program.

PROGRESS ON THE GROUND

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

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

Working with communities in the Bronx, Harlem, Passaic, and Hackensack River watersheds to track down sources of floatable trash before they enter the water;

Helping local governments in New Jersey and New York identify and right-size culverts and bridges to improve habitat and reduce street flooding;

Working with wastewater utilities in Elizabeth and Ridgefield Park to prioritize and make critical investments in outfalls needed to address rising sea levels;

Restoring shoreline ecology and improving fisheries in the Hudson and East River by creating oyster reefs and other restoration efforts

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

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

Sincerely,

ROBERT PIRANI,
Director, NYNJHEP.

BARATARIA-TERREBONNE,
NATIONAL ESTUARY PROGRAM,
Thibodaux, LA, February 4, 2020.

Hon. PETER A. DEFAZIO,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. DON YOUNG,
Ranking Member, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. GRACE F. NAPOLITANO,
Chairman, Water Resources and Environment Subcommittee, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. BRUCE WESTERMAN,
Ranking Member, Water Resources and Environment Subcommittee, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR CHAIRMEN DEFAZIO AND NAPOLITANO, RANKING MEMBERS YOUNG AND WESTERMAN: Thank you for your leadership in support of the National Estuary Program, and in particular for your unanimous approval in your committee for HR 4044, a bill to reauthorize this highly successful program. I understand this bill may be considered by the full House of Representatives, and applaud your efforts to advance this legislation. We at the Barataria-Terrebonne National Estuary Program strongly applaud the leadership of Representative Graves to advance this legislation to address Louisiana's land loss crisis. Funding from this program empowers local people and their ongoing love of the land, water, culture, and each other to use the best science available to address the estuary's perils.

This legislation invests directly in the stewardship of our nation's coasts. It empowers local communities in a non-regulatory, collaborative and science-based strategy to safeguard the places where we live, work, and recreate. Of all federally funded coastal programs, only NEPs organize local stakeholders as partners in a unique decision-making framework to address local priorities. NEPs provide technical, management, and communication assistance to develop priorities and implement comprehensive actions: storm water and infrastructure projects, seagrass and shellfish restoration

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

NEPS: PUBLIC-PRIVATE PARTNERS

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

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

The value of our oceans, estuaries and coasts to our nation is immense. Over half the U.S. population lives in coastal watershed counties. Roughly half the nation's gross domestic product is generated in those counties and adjacent ocean waters. In 2019 alone, ocean industries contributed $320 billion to U.S. economy.

RESULTS ON THE GROUND

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

The Barataria-Terrebonne National Estuary Program (BTNEP) is restoring maritime forest ridges along coastal Louisiana with public and private partnerships. These ridges are vital habitat for wildlife and provide storm surge protection for business, industry, and homeowners.

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

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

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

The Center of the Inland Bays in Delaware is bringing the oyster back, using living shorelines to stop erosion, protect property and restore habitat.

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

Important reforms were made to the National Estuary Program in the reauthorization during the 114th Congress, including the creation of a competitive program to address urgent challenges and the streamlining of administrative costs. HR 4044 amplifies and improves on these reforms. We thank you again for your efforts to advance this visionary legislation and look forward to working with you to reauthorize this successful program.

Sincerely,

DEAN BLANCHARD,
BTNEP Acting Director.

SAN FRANCISCO ESTUARY PARTNERSHIP,
San Francisco, CA, February 4, 2020.

Hon. PETER A. DEFAZIO,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.
Hon. DON YOUNG,
Ranking Member, Committee on Transportation and Infrastructure, Washington, DC.
Hon. GRACE F. NAPOLITANO,
Chairman, Water Resources and Environment Subcommittee, Washington, DC.
Hon. BRUCE WESTERMAN,
Ranking Member, Water Resources and Environment Subcommittee, Washington, DC.

DEAR CHAIRMEN DEFAZIO AND NAPOLITANO, RANKING MEMBERS YOUNG AND WESTERMAN: I am writing to thank you for your leadership in support of the National Estuary Program (NEP). For over 30 years, NEPs have advanced national priorities through a place-based, non-regulatory, collaborative approach. NEP's promote efficient partnerships to achieve on-the-ground success, engaging industries, businesses, local communities, scientists, regulatory agencies and other stakeholders.

Communities and businesses depend on our nation's estuaries. Loss of coastal habitats, pollutants entering our waters, and increased coastal flooding are challenging our coasts and affecting the critical economies we rely on. Over 82% of the nation's population live in the coastal areas that NEPs directly support. The 28 NEPs are leading the way in using a non-regulatory approach to working with industry and communities on innovations to protect life, business, and property from loss, damage, flooding, and drought.

NEPs leverage federal funds to build the capacity of local partners to implement innovative and beneficial projects. For every dollar EPA provides, NEPs leverage $19 in local funds to protect and improve coastal environments, communities and economies. Recent examples of NEP successes include:

The San Francisco Estuary Partnership is collaborating with wastewater treatment facilities to advance innovative nature-based solutions along the shoreline to remove contaminants, secure potable water resources, increase flood protection, and restore habitat

All three California National Estuary Programs are partnering to reduce raw sewage disposal into the water from recreational boats, keeping bacteria and other pollution from entering coastal waters and threatening public health

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

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

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

Thank you again for your strong support of this program over the years.

Sincerely,

CAITLIN SWEENEY,
Director.

PUGET SOUND PARTNERSHIP,
Tacoma, WA, February 4, 2020.

Hon. PETER A. DEFAZIO,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. DON YOUNG,
Ranking Member, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. GRACE F. NAPOLITANO,
Chairman, Water Resources and Environment Subcommittee, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. BRUCE WESTERMAN,
Ranking Member, Water Resources and Environment Subcommittee, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

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

In particular I would like to recognize and applaud the leadership of Representative Larson on this issue. He has been a stalwart supporter of this program nationally, and in particular a champion of Puget Sound. I appreciate his efforts as a senior member of your committee to advance this legislation that is so important to Washington.

Puget Sound is a complex ecosystem encompassing mountains, farmlands, cities, rivers, forests, and wetlands. Sixteen major rivers flow to Puget Sound and 20 treaty tribes call the region home. Currently, 4.5 million people live in the Puget Sound area, with another 1.3 million expected to live here by 2040. Seattle was the second fastest growing city in the nation in 2018, and the fastest in 2017. We are a region of innovators and entrepreneurs: 11 Fortune 500 companies are are headquartered in the Puget Sound area, many of which have shaped 21st century life. Our economy is roaring, and the region's natural beauty and recreational opportunities help businesses and companies attract top talent.

On the surface, Puget Sound looks healthy and inviting, but, in fact, Puget Sound is in grave trouble. Southern Resident orcas, Chinook salmon, and steelhead are all listed under the Endangered Species Act. Toxic chemicals and pharmaceuticals continue to pollute our waterways, and shellfish beds are routinely closed to commercial and recreational harvest due to fecal contamination. Habitat degradation continues to outpace restoration. While this situation at times seems impossibly gloomy, the hundreds of passionate people who are devoted to seeing the return of a healthy and resilient Puget Sound give us hope.

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

The single greatest step we could take to ensure a durable, systematic, and science-based effort for Puget Sound recovery is to fully fund the implementation of habitat protection and restoration, water quality protection, and salmon recovery programs. The National Estuary Program (NEP) is a vital piece of this funding puzzle.

Of all federally funded coastal programs, only NEPs organize local stakeholders as

partners in a unique decision-making framework to address local priorities. NEPs provide technical, management, and communication assistance to develop priorities and implement comprehensive actions: stormwater and infrastructure projects, seagrass and shellfish restoration which support fishing and tourist industries, science and monitoring to guide decision-making, and innovative education programs designed for the next generation of Americans.

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

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

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

Recent examples include the following:

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

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

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

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

As you know, important reforms were made to the National Estuary Program (NEP) in the reauthorization that was signed into law in the 114th Congress. These reforms created a competitive program to address urgent challenges and maximize funds received by our national estuaries, while streamlining the administrative costs of the program.

HR 4044 would amplify and improve on these reforms, and continue the cost-effective streamlining begun in the 114th Congress.

We are running out of time: the Center for Whale Research reported this weekend that another Southern Resident orca, L41, has gone missing. With its loss, the population will drop to 72 animals, the lowest in 40 years. Your action now to pass HR 4044 can help.

Sincerely,

LAURA L. BLACKMORE,
Executive Director.

SANTA MONICA BAY
NATIONAL ESTUARY PROGRAM,
February 3, 2020.

Hon. PETER A. DEFAZIO,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. GRACE F. NAPOLITANO,
Chairman, Water Resources and Environment Subcommittee, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. DON YOUNG,
Ranking Member, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. BRUCE WESTERMAN,
Ranking Member, Water Resources and Environment Subcommittee, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

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

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

NEPs provide a suite of skills to advance the technical, management, and communication needs of their consensus driven Comprehensive Conservation and Management Plans. These plans seek to implement coordinated actions such as: storm water and infrastructure projects, seagrass, dune, wetland, and shellfish restoration, and the conservation of open spaces. NEPs also support and conduct scientific monitoring to identify and address sources of environmental harm that are detrimental to public health and coastal economies.

NEPs engage industries, businesses, and other community members to develop solutions for tough problems. The NEPs' public-private partnerships stretch federal dollars to provide successful on-the-ground results driven by diverse stakeholders. NEP partners include commercial agriculture and fisheries, energy and water utilities, local restaurants & tourist businesses, construction and landscaping professionals, engineering and mining companies, state and local governments, colleges and universities, and other community organizations.

The value of our oceans, estuaries and coasts to our nation is immense. According to NOAA's 2019 report on the ocean economy, ocean industries contributed $320 billion to U.S. economy, while employment in the ocean economy increased by 14.5 percent by 2016, compared to 4.8 percent in the U.S. economy as a whole. NEPs work to protect and enhance these nationally significant economic engines.

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

Recent examples include:

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

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

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

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

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

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

Sincerely,

TOM FORD,
Director, Santa Monica Bay National Estuary Program.

LOWER COLUMBIA
ESTUARY PARTNERSHIP,
Portland, OR, February 5, 2020.

Hon. PETER A. DEFAZIO,
Chair, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. DON YOUNG,
Ranking Member, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. GRACE F. NAPOLITANO,
Chair, Water Resources and Environment Subcommittee, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.
Hon. BRUCE WESTERMAN,
Ranking Member, Water Resources and Environment Subcommittee, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

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

The NEP stands out as one of the most effective federal programs. The National Program creates a framework—and accountability—for local partners, representing diverse interests to address the physical, chemical, social, biological, economic and cultural challenges that threaten our nation's estuaries. It is this collaborative framework that allows NEPs to tackle issues that no agency or state can tackle alone.

Of all federally funded coastal programs, only NEPs implement a community-based decision framework to address local and national priorities. NEPs and their partners address:

Stormwater and infrastructure projects;

Eelgrass and shellfish restoration, supporting aquaculture, fishing, and tourist industries;

Land and wildlife conservation;

Science and monitoring to guide decision-making; and

Innovative education programs designed for the next generation of Americans.

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

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

The value of our oceans, estuaries and coasts to our nation is immense. Over half the U.S. population lives in coastal watershed counties. Roughly half the nation's gross domestic product is generated in those counties and adjacent ocean waters. In 2019 alone, ocean industries contributed $320 billion to U.S. economy.

RESULTS ON THE GROUND

NEPs are focused on results on the ground and have had great success in protecting and restoring estuaries and coastal communities:

In the lower Columbia River since 2000, we have:

Restored 28,387 acres of habitat with 100 partners to help recover threatened and endangered fish.

Provided 81,485 students with over 407,704 hours of outdoor science learning, helping teachers meet benchmarks, and fill in gaps in science education.

Planted 144,721 native trees along riparian corridors with students and volunteers of all ages.

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

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

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

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

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

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

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

The Center of the Inland Bays in Delaware is bringing the oyster back, using living shorelines to stop erosion, protect property and restore habitat.

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

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

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

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

Sincerely yours,

DEBRAH MARRIOTT,
Executive Director.

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

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

I am especially pleased that the bill almost doubles the amount of funding available to support national estuaries. This should finally allow the Environmental Protection Agency (EPA) to move forward with adding more of these critical ecosystems to the National Estuary Program.

As one of only five or six hypersaline lagoons in the world and the only one in the nation, the Laguna Madre has unique conservation requirements. Adjacent to the longest barrier island in the world, Padre Island, the Laguna Madre is home to five species of endangered sea turtle and a critical migratory bird habitat for dozens of endangered or threatened bird species. The EPA previously designated the Upper Laguna Madre as a national estuary, and with this additional funding, we can now move forward with adding the Lower Laguna Madre to the existing designation.

Having grown up in Brownsville, Texas, Chairwoman Napolitano knows the beauty and importance of this national treasure. On behalf of my constituents, I want to express the gratitude of South Texas for the hard work and dedication of the Transportation & Infrastructure Committee Members and staff to conserving the Lower Laguna Madre for future generations.

I look forward to working with our Senators to help pass this legislation, and with our local officials, especially Cameron County Commissioner David Garza, and our governor, so we can finally secure a National Estuary Program designation for the Lower Laguna Madre. I urge my colleagues to support H.R. 4044.

Ms. BONAMICI. Mr. Speaker, I rise today in support of H.R. 4044, the Protect and Restore America's Estuaries Act. As Co-Chair of the Congressional Estuary Caucus, I am pleased to support this bill to reauthorize the National Estuary Program through Fiscal Year 2026. The Lower Columbia Estuary Partnership, in my home state of Oregon, is one of the twenty-eight National Estuary Programs across the country. The Lower Columbia Estuary Partnership is leading outstanding resiliency efforts in the Pacific Northwest to restore and protect habitat, improve water quality, restore flood plains, and address marine debris. This bill will help the National Estuary Programs consider the effects of extreme weather events that are increasingly common in the climate crisis, and implement appropriate adaptation strategies in their management plans. Additionally, this bill takes important steps to allow the NEPs to better address storm water runoff, coastal resiliency, and accelerate land loss mitigation efforts. This past weekend, we celebrated World Wetlands Day. Our coastal wetlands and estuaries are often overlooked and undervalued, but they are on the frontlines of the climate crisis. We can help support and safeguard our National Estuary Programs by passing the Protect and Restore America's Estuaries Act.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. MALINOWSKI) that the House suspend the rules and pass the bill, H.R. 4044, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MALINOWSKI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

SAN FRANCISCO BAY RESTORATION ACT

Mrs. NAPOLITANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1132) to amend the Federal Water Pollution Control Act to establish a grant program to support the restoration of San Francisco Bay, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1132

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''San Francisco Bay Restoration Act''.

SEC. 2. SAN FRANCISCO BAY RESTORATION GRANT PROGRAM.

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

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

''(a) DEFINITIONS.—In this section:

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

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

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

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

''(b) PROGRAM OFFICE.—

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

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

''(3) DELEGATION OF AUTHORITY; STAFFING.—The Administrator shall delegate to the Director such authority and provide such staff as may be necessary to carry out this section.

''(c) ANNUAL PRIORITY LIST.—

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

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

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

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

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

''(iii) nearshore and endangered species recovery; and

''(iv) adaptation to climate change.

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

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

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

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

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

''(A) the Estuary Partnership;

''(B) the State of California and affected local governments in the San Francisco Bay estuary watershed;

''(C) the San Francisco Bay Restoration Authority; and

''(D) any other relevant stakeholder involved with the protection and restoration of the San Francisco Bay estuary that the Director determines to be appropriate.

''(d) SAN FRANCISCO BAY PLAN.—

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

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

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

''(e) GRANT PROGRAM.—

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

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

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

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

''(f) FUNDING.—

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

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

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

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

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

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

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

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

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

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

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

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

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

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

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

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

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

Mr. Speaker, I include in the RECORD letters in support of H.R. 1132, the San Francisco Bay Restoration Act, from the National Audubon Society and Save the Bay.

AUDUBON,
September 18, 2019.

Hon. PETER DEFAZIO,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.
Hon. SAM GRAVES,
Ranking Member, Committee on Transportation and Infrastructure, Washington, DC.
Hon. GRACE NAPOLITANO,
Chairwoman, Subcommittee on Water Resources and Environment, Washington, DC.
Hon. BRUCE WESTERMAN,
Ranking Member, Subcommittee on Water Resources and Environment, Washington, DC.

On behalf of the National Audubon Society's more than 1 million members, our mission is to protect birds and the places they need for today and tomorrow. We write to offer our support for the following bills related to important coastal and water conservation issues that will be the subject of the September 19, 2019 Markup before the Committee on Transportation and Infrastructure Committee.

HR 4031—GREAT LAKES RESTORATION INITIATIVE ACT OF 2019

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

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

HR 1132—SAN FRANCISCO BAY RESTORATION ACT

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

HR 1132 would authorize a San Francisco Bay Restoration Grant Program in EPA and funding of up to $25m per year to support the restoration of this estuary.

HR 1620—CHESAPEAKE BAY PROGRAM REAUTHORIZATION ACT

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

HR 1620 would increase the authorization of appropriations for the Chesapeake Bay Program to more than $90m per year.

HR 2247—PROMOTING UNITED GOVERNMENT EFFORTS TO SAVE OUR SOUND ACT

Despite significant investments in Puget Sound ecosystem health by state, federal, tribal and local governments, concerned members of the public, and conservation organizations, progress towards ecosystem recovery targets remains slow. The number of marine birds wintering in Puget Sound has declined significantly in the last 30 years and migratory, fisheating birds appear to be at the greatest risk.

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

HR 3779—RESILIENCE REVOLVING LOAN FUND ACT OF 2019

Pre-disaster planning can help communities adapt to the changing flood patterns that threaten people and birds species dependent on shoreline and riverine areas. These changes have led to more frequent instances of ''nuisance flooding,'' as well as catastrophic events. NOAA has found that ''nuisance'' or ''sunny day'' flooding is up 300% to 900% than it was 50 years ago. In addition, catastrophic flooding events have increased in both frequency and intensity. These trends have been particularly pronounced in the Northeast, Midwest and upper Great Plains, where the amount of precipitation in large rainfall events has increased more than 30 percent above the average observed from 1901–1960. As sea level rise accelerates, it only exacerbates these impacts, which further compounds vulnerability in flood-prone communities.

HR 3779 would amend the 1988 Stafford Act to offer low-interest loans to states for ''disaster mitigation projects'', including investments in natural infrastructure projects, which would help communities prepare and recover from natural disasters.

We urge you to support and advance the bills listed above. Please feel free to contact us with any questions.

Sincerely,

JULIE HILL-GABRIEL,
Vice President, Water Conservation, National Audubon Society.

SAVE THE BAY,
February 3, 2020.

Hon. JACKIE SPEIER,
House of Representatives, Washington, DC.

HR 1132: SUPPORT

DEAR REPRESENTATIVE SPEIER: Save The Bay applauds your introduction of HR 1132, the San Francisco Bay Restoration Act, and encourages all Members of Congress to vote for its passage on the House Floor this week. This initiative will enhance the U.S. Environmental Protection Agency's efforts capacity to improve the health of San Francisco Bay, with resources that are desperately needed at a time of accelerating climate change.

Save The Bay is the oldest and largest membership organization working exclusively to protect and restore San Francisco Bay, with 50,000 members and supporters. As the Bay's leading champion since 1961, Save The Bay is committed to making the Bay cleaner and healthier for people and wildlife, and HR 1132 would significantly advance that goal.

Over the last 150 years, the water quality and health of the San Francisco Bay estuary have been diminished by pollution, invasive species, loss of wetland habitat and other factors. Improving bay water quality, restoring critical habitat, and adapting to climate change in San Francisco Bay, are urgent federal, state and regional priorities that require additional funding. The Bay region is fortunate to have in place well-developed science-based plans, agencies, and collaborative structures to improve the Bay's health, but more resources for implementation are essential in the crucial decade ahead. The San Francisco Bay Restoration Act would provide significant additional capacity to improve the Bay, building efficiently on elements already in place to improve our economy and the region's quality of life.

In 2016, San Francisco Bay Area voters agreed to make an unprecedented investment in San Francisco Bay Restoration, approving a nine-county parcel tax specifically to accelerate Bay tidal marsh restoration. Measure AA was approved by more than 70 percent of the region's voters, and is raising $500 million over 20 years for grants to restoration projects, most of which are occurring on federal property with the San Francisco Bay National Wildlife Refuge. Matching federal investment for this and other restoration work is overdue, and HR 1132 would begin to address that need by authorizing $25 million annually for those purposes.

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

Each month provides evidence of added urgency and need for the San Francisco Bay Program and resources that HR 1132 creates. Tidal marsh restoration is essential to protect Bay wildlife habitat, and adjacent shoreline communities and infrastructure from sea level rise. The recent Baylands Habitat Goals Update underscored that tidal marsh revegetation must be initiated wherever possible within the next decade to stay ahead of rising seas, and the recent California Legislative Analyst's Office report further underscores the urgency of adaptation and resilience actions. And as California Governor Gavin Newsom stated in January, ''We are experiencing a global climate crisis. One that has irreversible impacts and is happening right now. This is not something to deal with 10 years from now. Or 5 years from now. Or 2 years from now. we need action. Now.''

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

Sincerely,

DAVID LEWIS,
Executive Director.

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

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

Mr. Speaker, I also rise in support of H.R. 1132. It represents good governance by codifying the EPA's existing work in the San Francisco Bay Area. The bay area watershed provides a primary source of drinking water for over

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

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

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

Ms. SPEIER. Mr. Speaker, today, we are taking up the San Francisco Bay Restoration Act. This is legislation I have introduced every year since 2010. Since then, the environmental conditions of the bay have only grown worse.

The bay is the heart of the region, with a vibrant ecosystem that is home to the largest estuary on the West Coast. It generates more than $370 billion in goods and services annually and is home to more than 3½ million jobs.

Forty percent of the land in California drains to the estuary, as my colleagues have mentioned. It also is home to more than 100 endangered and threatened species. The region's tidal and seasonal wetlands comprise a significant portion of America's coastal resources, yet over the past 200 years, 90 percent of the bay's wetlands have been destroyed by human activity.

Increased pollution from cars, homes, and communities in San Francisco have absorbed into various creeks, rivers, and streams that flow into the bay and the Pacific Ocean. By 2030, the expected sea-level rise in the bay area will exceed the rate at which the marshes can elevate and move, effectively drowning them.

Despite the impending threats, Federal efforts for bay restoration and pollution mitigation systems have failed to meet the enormous need. Between 2008 and 2016, EPA's geographic programs invested only $45 million into the San Francisco Bay, while Puget Sound received over $260 million and Chesapeake Bay $490 million. That is 10 times as much, and the disparity becomes even more pronounced when you consider the populations served. A mere $6 was spent on the bay for each resident of the bay area, while almost $30 was spent for each resident living near Chesapeake Bay and almost $60 per resident near Puget Sound.

In the most recent round of appropriations in early 2018, the San Francisco Bay's appropriations remained at $4.8 million while smaller geographic programs received substantially more, including Lake Champlain with $8.3 million and Long Island Sound with $12 million.

The San Francisco Bay Restoration Act will authorize $25 million annually for 5 years to fund water quality improvement efforts, wetland and estuary restoration, endangered species recovery, and adaption to climate change. We are just asking for our fair share of the dollars set aside for estuary restoration.

□ 1315

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

Mr. HUFFMAN. Mr. Speaker, I thank the gentlewoman for yielding me time, and I commend my colleague, JACKIE SPEIER, for her leadership on this issue. And thanks also to the ranking member for recognizing the importance, the critical national importance, of the San Francisco Bay Estuary.

I have the fortune of representing a beautiful district that starts at the Oregon border but goes all the way down to the Golden Gate Bridge. That means I represent a good portion of San Francisco Bay, the North Bay, where we understand all too well how much we have lost—90 percent of the Bay's wetlands have been destroyed.

Starting a century and-a-half ago, there has been incredible degradation of this vital estuary beginning with the Gold Rush, continuing to massive water diversions and pollution inputs, the diking of wetlands, and so on. But despite all of that degradation, San Francisco Bay continues to play a vital role ecologically in our region and an even greater role economically.

We have hundreds of billions of dollars in economic activity every year as a product of San Francisco Bay—outdoor recreation, commercial and recreational fishing, travel and tourism. And we also see the very real benefits in the San Francisco Bay area of coastal resiliency, using natural systems as a buffer against rising sea levels.

The citizens of the nine-county Bay area have stepped up. We recognize the national importance of this resource, and we have supported a ballot measure to support climate adaption and restoration funding. And now it is time for the Federal Government to do its part. That is why I am so pleased to support Congresswoman SPEIER's bill, the San Francisco Bay Restoration Act, to provide the much-needed Federal partnership to help improve water quality in this important estuary to revive the Bay's wetlands and to protect our coastal communities and our economy.

Mr. Speaker, I thank the gentlewoman for the time.

Mrs. NAPOLITANO. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

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

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

Mrs. NAPOLITANO. Mr. Speaker, I do urge all my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HECK). The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 1132, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PROMOTING UNITED GOVERNMENT EFFORTS TO SAVE OUR SOUND ACT

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

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2247

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

SEC. 2. PUGET SOUND COORDINATED RECOVERY.

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

''SEC. 124. PUGET SOUND.

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

''(1) COASTAL NONPOINT POLLUTION CONTROL PROGRAM.—The term 'Coastal Nonpoint Pollution Control Program' means the State of Washington's Coastal Nonpoint Pollution Control Program approved by the Secretary of Commerce as required under section 6217 of the Coastal Zone Act Reauthorization Amendments of 1990.

''(2) DIRECTOR.—The term 'Director' means the Director of the Program Office.

''(3) FEDERAL ACTION PLAN.—The term 'Federal Action Plan' means the plan developed under subsection (d)(2)(B).

''(4) INTERNATIONAL JOINT COMMISSION.—The term 'International Joint Commission' means the International Joint Commission established by the United States and Canada under the International Boundary Waters Treaty of 1909 (36 Stat. 2448).

''(5) PACIFIC SALMON COMMISSION.—The term 'Pacific Salmon Commission' means the Pacific Salmon Commission established by the United States and Canada under the Treaty between the Government of the United States of America and the Government of Canada Concerning Pacific Salmon, signed at Ottawa, January 28, 1985 (commonly known as the 'Pacific Salmon Treaty').

''(6) PROGRAM OFFICE.—The term 'Program Office' means the Puget Sound Recovery National Program Office established by subsection (c).

''(7) PUGET SOUND ACTION AGENDA; ACTION AGENDA.—The term 'Puget Sound Action Agenda' or 'Action Agenda' means the most recent plan developed by the Puget Sound National Estuary Program Management Conference, in consultation with the Puget Sound Tribal Management Conference, and approved by the Administrator as the comprehensive conservation and management plan for Puget Sound under section 320.

''(8) PUGET SOUND FEDERAL LEADERSHIP TASK FORCE.—The term 'Puget Sound Federal Leadership Task Force' means the Puget Sound Federal Leadership Task Force established under subsection (d).

''(9) PUGET SOUND FEDERAL TASK FORCE.—The term 'Puget Sound Federal Task Force'

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

''(10) PUGET SOUND NATIONAL ESTUARY PROGRAM MANAGEMENT CONFERENCE; MANAGEMENT CONFERENCE.—The term 'Puget Sound National Estuary Program Management Conference' or 'Management Conference' means the management conference for Puget Sound convened pursuant to section 320.

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

''(12) PUGET SOUND REGION.—

''(A) IN GENERAL.—The term 'Puget Sound region' means the land and waters in the northwest corner of the State of Washington from the Canadian border to the north to the Pacific Ocean on the west, including Hood Canal and the Strait of Juan de Fuca.

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

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

''(14) SALISH SEA.—The term 'Salish Sea' means the network of coastal waterways on the west coast of North America that includes the Puget Sound, the Strait of Georgia, and the Strait of Juan de Fuca.

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

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

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

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

''(1) conducting Federal agency activities within or outside Puget Sound that affect any land or water use or natural resources of Puget Sound and its tributary waters, including activities performed by a contractor for the benefit of a Federal agency;

''(2) interpreting and enforcing regulations that impact the restoration and protection of Puget Sound;

''(3) issuing Federal licenses or permits that impact the restoration and protection of Puget Sound; and

''(4) granting Federal assistance to State, local, and Tribal governments for activities related to the restoration and protection of Puget Sound.

''(c) PUGET SOUND RECOVERY NATIONAL PROGRAM OFFICE.—

''(1) ESTABLISHMENT.—There is established in the Environmental Protection Agency a Puget Sound Recovery National Program Office to be located in the State of Washington.

''(2) DIRECTOR.—

''(A) IN GENERAL.—The Director of the Program Office shall be a career reserved position, as such term is defined in section 3132(a)(8) of title 5, United States Code.

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

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

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

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

''(4) DUTIES.—The Director shall—

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

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

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

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

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

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

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

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

''(I) serve as liaison and coordinate activities for the restoration and protection of the Salish Sea, with Canadian authorities, the Pacific Salmon Commission, and the International Joint Commission; and

''(J) carry out such additional duties as the Administrator determines necessary and appropriate.

''(d) PUGET SOUND FEDERAL LEADERSHIP TASK FORCE.—

''(1) ESTABLISHMENT.—There is established a Puget Sound Federal Leadership Task Force.

''(2) DUTIES.—

''(A) GENERAL DUTIES.—The Puget Sound Federal Leadership Task Force shall—

''(i) uphold Federal trust responsibilities to restore and protect resources crucial to Tribal treaty rights, including by carrying out government-to-government consultation with Indian tribes when requested by such tribes;

''(ii) provide a venue for dialogue and coordination across all Federal agencies on the Puget Sound Federal Leadership Task Force to align Federal resources for the purposes of carrying out the requirements of this section and all other Federal laws that contribute to the restoration and protection of Puget Sound, including by—

''(I) enabling and encouraging the Federal agencies represented on the Puget Sound Federal Leadership Task Force to act consistently with the objectives and priorities of the Action Agenda, Salmon Recovery Plans, the Treaty Rights at Risk Initiative, and the Coastal Nonpoint Pollution Control Program;

''(II) facilitating the coordination of Federal activities that impact the restoration and protection of Puget Sound;

''(III) facilitating the delivery of feedback given by Federal agencies to the Puget Sound Partnership during the development of the Action Agenda;

''(IV) facilitating the resolution of interagency conflicts associated with the restoration and protection of Puget Sound among the agencies represented on the Puget Sound Federal Leadership Task Force;

''(V) providing a forum for exchanging information among agencies regarding activities being conducted, including obstacles or efficiencies found, during Puget Sound restoration and protection activities; and

''(VI) promoting the efficient use of government resources in pursuit of Puget Sound restoration and protection through coordination and collaboration, including by ensuring that the Federal efforts relating to the science necessary for restoration and protection of Puget Sound are consistent, and not duplicative, across the Federal Government;

''(iii) catalyze public leaders at all levels to work together toward shared goals by demonstrating interagency best practices coming from the members of the Puget Sound Federal Leadership Task Force;

''(iv) provide advice and support on scientific and technical issues and act as a forum for the exchange of scientific information about Puget Sound;

''(v) identify and inventory Federal environmental research and monitoring programs related to Puget Sound, and provide such inventory to the Puget Sound National Estuary Program Management Conference;

''(vi) ensure that Puget Sound restoration and protection activities are as consistent as practicable with ongoing restoration and protection and related efforts in the Salish Sea that are being conducted by Canadian authorities, the Pacific Salmon Commission, and the International Joint Commission;

''(vii) establish any necessary working groups or advisory committees necessary to assist the Puget Sound Federal Leadership Task Force in its duties, including public policy and scientific issues;

''(viii) raise national awareness of the significance of Puget Sound;

''(ix) work with the Office of Management and Budget to give input on the crosscut budget under subsection (h); and

''(x) submit a biennial report under subsection (g) on the progress made toward carrying out the Federal Action Plan.

''(B) PUGET SOUND FEDERAL ACTION PLAN.—

''(i) IN GENERAL.—Not later than 5 years after the date of enactment of this section, the Puget Sound Federal Leadership Task Force shall develop and approve a Federal Action Plan that leverages Federal programs across agencies and serves to coordinate diverse programs on a specific suite of priorities on Puget Sound recovery.

''(ii) REVISION OF PUGET SOUND FEDERAL ACTION PLAN.—Not less often than once every 5 years after the date of completion of the Federal Action Plan described in clause (i), the Puget Sound Federal Leadership Task Force shall review, and revise as appropriate, the Federal Action Plan.

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

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

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

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

''(iv) prevent the destruction of marine and wildlife habitats;

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

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

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

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

''(ix) preserve biodiversity;

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

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

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

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

''(B) SPECIFIC ADVICE AND RECOMMENDATIONS.—The Puget Sound Federal Leadership Task Force shall seek the advice and recommendations of the State Advisory Committee and Puget Sound Tribal Management Conference on the actions, progress, and issues pertaining to restoration and protection of Puget Sound.

''(4) MEMBERSHIP.—

''(A) QUALIFICATIONS.—Members appointed under this paragraph shall have experience and expertise in matters of restoration and protection of large watersheds and bodies of water or related experience that will benefit the restoration and protection effort of Puget Sound.

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

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

''(I) A representative of the National Forest Service.

''(II) A representative of the Natural Resources Conservation Service.

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

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

''(I) A representative of the Corps of Engineers.

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

''(III) A representative of the Navy Region Northwest.

''(iv) DIRECTOR.—The Director of the Program Office.

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

''(I) A representative of the Coast Guard.

''(II) A representative of the Federal Emergency Management Agency.

''(vi) SECRETARY OF THE INTERIOR.—The following individuals appointed by the Secretary of the Interior:

''(I) A representative of the Bureau of Indian Affairs.

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

''(III) A representative of the United States Geological Survey.

''(IV) A representative of the National Park Service.

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

''(I) A representative of the Federal Highway Administration.

''(II) A representative of the Federal Transit Administration.

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

''(5) LEADERSHIP.—The Co-Chairs shall ensure the Puget Sound Federal Leadership Task Force completes its duties through robust discussion of all relevant issues. The Co-Chairs shall share leadership responsibilities equally.

''(6) CO-CHAIRS.—The following members of the Puget Sound Federal Leadership Task Force appointed under paragraph (5) shall serve as Co-Chairs of the Puget Sound Federal Leadership Task Force:

''(A) The representative of the National Oceanic and Atmospheric Administration.

''(B) The representative of the Puget Sound Recovery National Program Office.

''(C) The representative of the Corps of Engineers.

''(7) MEETINGS.—

''(A) INITIAL MEETING.—The Puget Sound Federal Leadership Task Force shall meet not later than 180 days after the date of enactment of this section—

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

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

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

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

''(B) SUBSEQUENT MEETINGS.—After the initial meeting, the Puget Sound Federal Leadership Task Force shall meet, at a minimum, twice per year to carry out the duties of the Puget Sound Federal Leadership Task Force.

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

''(D) JOINT MEETINGS.—The Puget Sound Federal Leadership Task Force shall offer to meet jointly with the Puget Sound National Estuary Program Management Conference and the Puget Sound Tribal Management Conference, at a minimum, once per year. A joint meeting under this subparagraph may be considered a biannual meeting of the Puget Sound Federal Leadership Task Force for purposes of subparagraph (B), if agreed upon.

''(E) QUORUM.—A majority number of the members of the Puget Sound Federal Leadership Task Force shall constitute a quorum.

''(F) VOTING.—For the Puget Sound Federal Leadership Task Force to pass a measure, a two-thirds percentage of the quorum must vote in the affirmative.

''(8) PUGET SOUND FEDERAL LEADERSHIP TASK FORCE PROCEDURES AND ADVICE.—

''(A) ADVISORS.—The Puget Sound Federal Leadership Task Force, and any working group of the Puget Sound Federal Leadership Task Force, may seek advice and input from any interested, knowledgeable, or affected party as the Puget Sound Federal Leadership Task Force or working group, respectively, determines necessary to perform its duties.

''(B) COMPENSATION.—A member of the Puget Sound Federal Leadership Task Force shall receive no additional compensation for service as a member on the Puget Sound Federal Leadership Task Force.

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

''(9) PUGET SOUND FEDERAL TASK FORCE.—

''(A) IN GENERAL.—On the date of enactment of this section, the 2016 memorandum of understanding establishing the Puget Sound Federal Task Force shall cease to be effective.

''(B) USE OF PREVIOUS WORK.—The Puget Sound Federal Leadership Task Force shall, to the extent practicable, use the work product produced, relied upon, and analyzed by the Puget Sound Federal Task Force in order to avoid duplicating the efforts of the Puget Sound Federal Task Force.

''(e) STATE ADVISORY COMMITTEE.—

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

''(2) MEMBERSHIP.—The committee shall consist of up to 7 members designated by the governing body of the Puget Sound Partnership, in consultation with the Governor of Washington, who will represent Washington State agencies that have significant roles and responsibilities related to Puget Sound recovery.

''(f) FEDERAL ADVISORY COMMITTEE ACT.—The Puget Sound Federal Leadership Task Force, State Advisory Committee, and any working group of the Puget Sound Federal Leadership Task Force, shall not be considered an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.).

''(g) PUGET SOUND FEDERAL LEADERSHIP TASK FORCE BIENNIAL REPORT ON PUGET SOUND RECOVERY ACTIVITIES.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, and biennially thereafter, the Puget Sound Federal Leadership Task Force, in collaboration with the Puget Sound Tribal Management Conference and the State Advisory Committee, shall submit to the President, Congress, the Governor of Washington, and

the governing body of the Puget Sound Partnership a report that summarizes the progress, challenges, and milestones of the Puget Sound Federal Leadership Task Force on the restoration and protection of Puget Sound.

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

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

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

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

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

''(h) CROSSCUT BUDGET REPORT.—

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

''(2) CONTENTS.—The report shall contain an interagency crosscut budget relating to Puget Sound restoration and protection activities that displays—

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

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

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

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

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

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

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

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

''(j) PRESERVATION OF TREATY OBLIGATIONS AND EXISTING FEDERAL STATUS.—

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

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

''(k) CONSISTENCY.—Actions authorized or implemented under this section shall be consistent with—

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

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

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

''(4) other applicable Federal requirements.''.

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

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

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

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

There was no objection.

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

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

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

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

We also know that the health of these waterways impacts critical species, such as salmon and the orca whales and a variety of other wildlife across the State. The Sound has been a member of the National Estuary Program since 1988, engaging in a wide range of habitat protection, water quality improvement and monitoring, but a recent GAO study found that the threat the Sound faces outpace efforts to combat them. In short, we must support a more directed approach to helping the entire Puget Sound recover.

Mr. Speaker, I urge my colleagues to support H.R. 2247, and I include in the RECORD letters of support from Northwest Indian Fisheries Commission, Puget Sound Partnership, and the National Audubon Society.

NORTHWEST INDIAN
FISHERIES COMMISSION,
Olympia, Washington, August 22, 2019.

Re NWIFC Support for H.R. 2247—Promoting United Government Efforts to Save Our Sound Act.

Hon. PETER DEFAZIO,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

Hon. SAM GRAVES,
Ranking Member, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN DEFAZIO, RANKING MEMBER GRAVES, AND HONORABLE MEMBERS OF THE COMMITTEE: The Northwest Indian Fisheries Commission wishes to express our support for H.R. 2247 and respectfully requests passage of this important bill referred to your committee. The Northwest Indian Fisheries Commission is comprised of the 20 treaty Indian tribes in western Washington, who have constitutionally protected, federally adjudicated, treaty-reserved rights to harvest, manage, and consume salmon and shellfish in their usual and accustomed areas. These treaty-reserved resources are inextricably linked to the health of Puget Sound. If we cannot recover Puget Sound, we will not recover salmon, we will not maintain our culturally and economically significant shellfish fishery, and we will not protect our treaty-reserved rights.

We support H.R. 2247 because it recognizes the role of tribes as sovereign governments working collaboratively to restore our shared waters. The bill also provides a logical approach to Puget Sound recovery, by encouraging a more efficient use of government through improved federal agency coordination on Puget Sound actions. It is only logical that government agencies would align their related activities to compliment the significant contribution of federal funding directed toward restoration and not undermine those investments or our treaty-reserved rights.

We also support H.R. 2247 because it authorizes much needed increases to Puget Sound funding. We greatly appreciate the Geographic Program-Puget Sound appropriations Congress continues to provide. However, funding for Puget Sound recovery needs to be significantly increased to address the numerous threats that the Sound and our reserved-rights face.

For these reasons, we respectfully request you support passage of H.R. 2247 and thank you for taking the time to consider the bill and the important issues it addresses. We also extend our gratitude to Representative Heck for his leadership in introducing H.R. 2247, recognizing the important role of tribes and treaty rights in Puget Sound recovery, and taking the initiative to advance Puget Sound recovery as a national priority.

Sincerely,

LORRAINE LOOMIS,
Chairperson.

AUGUST 13, 2019.

Hon. PETER DEFAZIO,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.
Hon. SAM GRAVES,
Ranking Member, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN DEFAZIO AND RANKING MEMBER GRAVES: We, the undersigned, are writing to urge your support to pass H.R. 2247, the ''Promoting United Government Efforts To Save Our Sound'' (PUGET SOS) Act, introduced earlier this year by Congressman Denny Heck and Congressman Derek Kilmer to strengthen federal support for actions that are essential to Puget Sound recovery.

Puget Sound is a complex ecosystem encompassing mountains, farmlands, cities, rivers, forests, and wetlands. Sixteen major rivers flow to Puget Sound and 20 treaty tribes call the region home.

Currently, 4.5 million people live in the Puget Sound area, with another 1.3 million expected to live here by 2040. In May, the Seattle Times reported that Seattle was the second fastest growing city in the nation in 2018, and the fastest in 2017. We are a region of innovators and entrepreneurs: 11 Fortune 500 companies are headquartered in the Puget Sound area, many of which have shaped 21st century life. Our economy is roaring, and the region's natural beauty and recreational opportunities help businesses and companies attract top talent.

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

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

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

The single greatest step we could take to ensure a durable, systematic, and science-based effort for Puget Sound recovery is to fully fund the implementation of habitat protection and restoration, water quality protection, and salmon recovery programs.

The PUGET SOS Act (H.R. 2247) would authorize up to $50 million in funding for Puget Sound recovery, a significant and very welcome jump from the $28 million per year that Congress has appropriated for the last several fiscal years.

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

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

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

Sincerely,

LAURA L. BLACKMORE,
Executive Director,
Puget Sound Partnership.

Eoin Doherty, Independent Contractor; Nicholas Georgiadis, PhD, Sr. Research Scientist, Puget Sound Institute, University of Washington; Tansy Schroeder, Island County Planning & Community Development; Steve Dubiel, Executive Director, EarthCorps; Jeanette Dorner, Chair, Pierce Conservation District; Jesse Salomon, Senator, 32nd Legislative District; Dave Somers, Snohomish County Executive; Diane Buckshnis, Edmonds City Council Position #4, WRIA 8 Salmon Recovery Council; Stephanie Wright, Snohomish County Councilmember.

Katherine Walton, Livable Communities Coordinator, Futurewise; Helen Price Johnson, Board of Island County Commissioner; Dennis McLerran, Cascadia Law Group; Terry Williams, Co-chair, Snohomish Basin Salmon, Recovery Forum; James W. Miller; Co-chair, Snohomish Basin Salmon, Recovery Forum; Norm Dicks, Former United States Representative, House Appropriations Committee, Defense Sub; Mark Phillips, City of Lake Forest Park Councilmember, Vice Chair of WRIA 8 Salmon Recovery Council; Stephanie Solien, Co-chair, Southern Resident Orca Task Force; Will Hall, Mayor for City of Shoreline.

John Hoekstra on behalf of Mountains to Sound Greenway Trust; Denis Law, Mayor, City of Renton; Teresa Mosqueda, Seattle City Councilmember; Stephanie Buffum, Executive Director, Friends of the San Juans; Teresa Mosqueda, Seattle City Councilmember; John Stokes, City of Bellevue Councilmember, Chair of WRIA 8 Salmon Recovery Council; Jacques White, Executive Director, Long Live the Kings; Commissioner Janet St. Clair, Board of Island County Commissioners, District 3; John Wiesman, DrPH, MPH, Secretary, Department of Health.

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

Nancy Backus, Mayor, City of Auburn; Howard Garrett, Orca Network President; Dow Constantine, King County Executive; David O. Earling, Mayor, City of Edmonds; Lunell Haught, President, League of Women Voters of Washington; Wendy D. McDermott, Director, Rivers of Puget Sound-Columbia Basin; Hilary Franz, Commissioner of Public Lands; Charlotte Garrido, Kitsap County Commissioner; Stephanie Bowman, Commission President, Port of Seattle.

Clare Petrich, Commission President, Port of Tacoma, Co-Chair, The Northwest Seaport Alliance; Maia D. Belion, Director, WA State Department of Ecology; Gail Gatton on behalf of Audubon Washington, Executive Director and Vice President; Senator Derek Stanford, Washington State Senate, 1st Leg District; Jamie Stephens, San Juan County Council Chair; Jay Manning, Chair, Leadership Council, Puget Sound Partnership; Mayor Jim Ferrell on behalf of City of Federal Way; Councilmember Keith Scully, City of Shoreline; Chairman Jeromy Sullivan on behalf of Port Gamble S'Klallam Tribe; John Marchione, Mayor, City of Raymond.

Matt Pina, Mayor, City of Des Moines; Joshua Morris, Urban Conservation Manager, Seattle Audubon Society; Kelly Susewind, Director, WA Department of Fish and Wildlife; Colleen Weiler, Jessica Rekos Fellowship, Whale and Dolphin Conservation; Sam Merrill, Chair, Conservation Committee, Black Hills Audubon Society; Jimmy Matta, Major, City of Burien; Representative Cindy Ryu, Washington House of Representatives, 32nd Leg District; Victoria R. Woodards, Mayor, City of Tacoma; Jeff Wagner, Mayor, City of Covington.

Penny Sweet, Mayor, Kirkland City Council; Michael Dawson, Water Quality Manager, Jefferson County Public Health; Matt Deniston, Managing Partner, Sitka Tech Group; President Arthur Campbell, N. Central Washington Audubon Society; Director Rachel Vasak on behalf of Nooksack Salmon Enhancement Assoc.; Karen Larkin, Chair, Tacoma Public Utility Board; Austin Bell, Deputy Mayor, City of Burien; Secretary Kurt Fremont, Puyallup River Watershed Council on behalf of President Carrie Hernandez and the Board of Directors for the Puyallup River Watershed Council; Nancy Tosta, Councilmember, City of Burien, Chair, Burien Airport Committee; Bob Edgar, Councilmember, City of Burien.

Lucy Krakowiak, Councilmember, City of Burien; Nate Nehring, Councilmember, Snohomish County; Representative Steve Tharinger, Washington State House of Representatives, 24th District, Co-Chair of the Strait Ecosystem Recovery Local Integrating Organization; Krystal Marx, Councilmember, City of Burien; Pedro Qlguin, Councilmember, City of Burien; Deborah Jensen, Principal, D Jensen & Associates; Jessie Israel, Director, Puget Sound Conservation, The Nature Conservancy in Washington; Karen Affeld, Executive Director, N. Olympic Peninsula Resource Conservation & Dev. Council; Commissioner Kate Dean, Jefferson County, Co-Chair of Strait Ecosystem Recovery Network Local Integrating Organization.

Other Individuals and Organizations:

Richard Brocksmith, Executive Director, Skagit Watershed Council; Zero Waste Washington; Liz Christeleit, Sitka Technology Group; Peggen Frank, Executive Director, Salmon Defense; Michael Messina, Director, Market Development & Business Affairs, Whooshh Innovations; Jennifer Grathwol Thomas, MES Principal Ecologist Water & Land Natural Resource Consulting; Heidi M. Kirk, Processing Manager, Evergreen Home Loans; Jim Wilcox, Wilcox Farms; Rebecca Benjamin, Executive Director, North Olympic Salmon Coalition; Aaron Peterson, Managing Director, Regional Fisheries Coalition; Auburn City Council.

Diana Gale, Puget Sound Partnership, Board of Directors, 2007–2016; Olympic Peninsula Audubon Society; Dana C. Ward, Co-Chair Conservation Committee on behalf of Lower Columbia Basin Audubon Society; Bill Blake, Co-chair, Stillaguamish Watershed; Bill Dewey, Taylor Shellfish Farms; Cindy Spiry, Snoqualmie Tribe, on behalf of Snoqualmie Watershed Forum; Neala Kendall, PhD, Washington Department of Fish & Wildlife; Tessa Francis, University of Washington; Larry Franks, Friends of the Issaquah Salmon Hatchery; Don Hunger, Executive Director, Northwest Straits Foundation; David Bestock, Delridge Neighborhoods Development Association; Laurie Gogic, Whale Scout.

Chris Garcia, City Council—City of North Bend; Jim Ribail, Carnation City Council, Position 2; Terry Ryan, Snohomish County Council Chair; Puget Soundkeeper Alliance; Toby Murray, Leadership Council Member,

Puget Sound Partnership; Robert Kaye, Conservation Committee Chair, North Cascades Audubon; John Burk, Division Manager, City of Tacoma; Nan McKay, Member, Northwest Straits Commission, Member, Northwest Straits Foundation Board of Directors, Past Chair, Puget Sound Action Team, Past Executive Director, Puget Sound Water Quality Authority; Rodney Pond, Executive Director, Sound Salmon Solutions; Mendy Harlow, Executive Director, Hood Canal Salmon Enhancement Group; Lance Winecka, Executive Director, South Puget Sound Salmon Enhancement Group; Jan Newton, Co-Director, Washington Ocean Acidification Center; Terrie Klinger, Co-Director, Washington Ocean Acidification Center; Alan Clark, Chair, Northwest Straits Commission; Snohomish Conservation District; Jeff Osmundson, President, Skagit Audubon Society; Deborah Stinson, Mayor, City of Port Townsend.

Private Citizens:

Elizabeth Chapple, Donna J. Nickerson, Kimi Izzi, Natasha Lozano, Holly Powers, Jennifer Stock, Phil Arminger, Linda Studley, Lynn Stansbury, Raven Skyriver, Fred Rowley, Angela Liljegren, Tamara Stepas, Leah Zuckerman, James Nichols, Kathy Jacobs, Joan Alworth, JP Kemmick, Jessica Baird, Sheida Sahandy, Gina Abernathy, Dany Border, Betsy Adams, Joni K. Dennison, Richard Noll, Scott Patrick, Annika Fain, Cat Martinez, Rebecca Canright, Mary Simkin-Maass, Joan Miller, Katie Devlin, Desi Nagyfy, Barbara Rosenkotter, Pam Barber, Kate Pflaumer, Matt Nunn, Sharon Truax, Emily Norland, Marjorie Millner.

Stacey McKinley, Brenda Michaels, Chris Tompkins, Curtis Cawley, Jane Jaehning, Randy Collins, Amy Mower, Anne Hawkins, Chris Marrs, Matt McKenna, John Smith, David Taft, Bea Kelleigh, Peg Peterson, Julia Buck, Donna Mason, Pamela Harris, John Koblinsky, Tamara Wood, Marian Wineman, Sue Froeschner, Ashley Song, Rich Bergner, Walt Tabler, MaryJane Gasdick, Benjamin Premack, Richard Kimball, Brie Gyncild, John Pottle, Lynn Barker, Charles Barker, Roseann Seeley, Ara Biji Kobara, Dorrie Jordan, Jeanette Kors, Brandon Herman, Lyle Anderson, Mike Snow, Shannon Markley, John Lundquist, Doris Wilson.

Vicky Gannon, Corinne Salcedo, Pam Borscope, Tom Putnam, Rebecca Putnam, Joanne Mayhew, Maradel Gale, Donielle Stevens, Aaron Hussmann, Barbara Stevenson, Linda Story, Shane Kostka, Mary Jo Wilkins, Phyllis Farell, Fay Payton, Anne Ryland, Philip Ratcliff, Joe Ginsburg, Carey Falter, Jeffrey Pancier, Hilary Thomas, Matthew Hilliard, Jennifer Nelson, Mark D. Blitzer, Katherine Balles, Delorse Lovelady, Cornelia B Teed, Natalie Chapin, Kristin Felix, Nikki Nichols, Robert Hannigan, Tess Morgan, Katie Stansell, Michael Hoffman, Laurie Kadet, Miranda Marti, Serena Winham, Len Elliot, Matt Anderson, Norman Baker, Patrick Conn, Margot Rosenberg.

Elizabeth Shoemaker, Ronnie Bush, Francis Lenski, Paul Roberts, Aaron Flaster, Marco Constans, Ginny Davis, Marilyn Smith, Richard Horner, Vanessa Jamison, Ann Lazaroff, Donna Alexander, Phyllis Oshikawa, Emily Rahlmann, Robert Triggs, Don Thomsen, Sandra Boren, Alex Logan, Chris Burdett, Cathy O'Shea, Julie Lakey, Mary Cunningham, Kathleen Schaeffer, Richard Weiss, Janice Sears, Linda Massey, Paul Shelton, Jim McRoberts, Maria DeLeo, Rebecca Sisson, Terence McDonald, George Keefe, Connie Nelson, Janet Wynne, Yolanda Sayles, James Hipp, Michael Garten, Liz Campbell, Pike Oliver, Jonny Layesky, Laurette Culbert.

Danielle Zitomer, Valerie Chu, Jim Pierson, Jennifer Lutz, Suzanne Steel, Thomas Keefer, Lyn Gardner, Kenneth Davis, Charlie Butt, Barbara Vigars, Neeyati Johnson, David Law, Carol Fillman, Jenna Judge, Dan Calvert, Hayley Mathews, Janet Williams, Derek Buchner, Kanit Cottrell, Mona McNeil, Lina Gleason, Cherie Warner, Susann Daley, Karina Morgan, Toni Howard, Brendan DeMelle, Patrick Hickey, Alexandra Stote, Michael Tucker, Warren Wilkins, Priscilla Martinez, Tracey Ouellette, Glen Anderson, Walter Gerber, Mary Gerber, Bonnie Rochman, Peggy Printz, Ashley Couch, Ivan Storck, Elizabeth F. Nedeff, Sherrell Cuneo.

Bob Zeigler, Eleanor Dowson, Carole Henry, Chris Knoll, Deborah Gandolfo, Jonathan Frodge, Deborah Engelmeyer, Stuart Mork, Susan MacGregor, Thom Peters, Sherry McCabe, Amanda Sue Rudisill, Margot Rosenberg, Linda Ellingboe, Asphodel Denning, Katrina Sukola, Glen Anderson, Sylvie Karlsda, Mona McNeil, Bill McFerren, Todd W Currie, Sylvie C Currie, Sharron Coontz, Tonya Stiffler, Matt Anderson, Gordon Wood, Robert Jensen, Jeni Woock, Sarah McCoy, Roger Martin, Sheliah Roth, Jacqueline Jacoby, Peter Marshall, Bill Lavely, Janet Walworth, Robert Richards, James Grimes, Pam Borso, Kathryn Jean Seymour, Sandra Gehri Bergman, Natalie Van Leekwijck, Sabine Doenninghaus.

Ann Seiter, Laura Ferguson, Marta Green, Steve Tholl, Brent Barnes, Denise Ross, Jon Bridgman, Jeff Parsons, Carrie Byron, Leah Kintner, Michael Johnson, Don Gourlie, Stephanie Suter, Heather Saunders, Kristin Hayman, Todd Hass, Kari Stiles, Nathalie Hamel, Kaitlin Harris, Leska Fore.

AUDUBON, NATIONAL AND INTERNATIONAL PROGRAMS,
Washington, DC, September 18, 2019.

Hon. PETER DEFAZIO,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

Hon. SAM GRAVES,
Ranking Member, Committee on Transportation and Infrastructure, Washington, DC.

Hon. GRACE NAPOLITANO,
Chairwoman, Subcommittee on Water Resources and Environment, Washington, DC.

Hon. BRUCE WESTERMAN,
Ranking Member, Subcommittee on Water Resources and Environment, Washington, DC.

On behalf of the National Audubon Society's more than 1 million members, our mission is to protect birds and the places they need for today and tomorrow. We write to offer our support for the following bills related to important coastal and water conservation issues that will be the subject of the September 19, 2019 Markup before the Committee on Transportation and Infrastructure Committee.

HR 4031—GREAT LAKES RESTORATION INITIATIVE ACT OF 2019

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

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

HR 1132—SAN FRANCISCO BAY RESTORATION ACT

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

HR 1132 would authorize a San Francisco Bay Restoration Grant Program in EPA and funding of up to $25m per year to support the restoration of this estuary.

HR 1620—CHESAPEAKE BAY PROGRAM REAUTHORIZATION ACT

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

HR 1620 would increase the authorization of appropriations for the Chesapeake Bay Program to more than $90m per year.

HR 2247—PROMOTING UNITED GOVERNMENT EFFORTS TO SAVE OUR SOUND ACT

Despite significant investments in Puget Sound ecosystem health by state, federal, tribal and local governments, concerned members of the public, and conservation organizations, progress towards ecosystem recovery targets remains slow. The number of marine birds wintering in Puget Sound has declined significantly in the last 30 years and migratory, fish-eating birds appear to be at the greatest risk.

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

HR 3779—RESILIENCE REVOLVING LOAN FUND ACT OF 2019

Pre-disaster planning can help communities adapt to the changing flood patterns that threaten people and birds species dependent on shoreline and riverine areas. These changes have led to more frequent instances of ''nuisance flooding,'' as well as catastrophic events. NOAA has found that ''nuisance'' or ''sunny day'' flooding is up 300% to 900% than it was 50 years ago. In addition, catastrophic flooding events have increased in both frequency and intensity. These trends have been particularly pronounced in the Northeast, Midwest and upper Great Plains, where the amount of precipitation in large rainfall events has increased more than 30 percent above the average observed from 1901–1960. As sea level rise accelerates, it only exacerbates these impacts, which further compounds vulnerability in flood-prone communities.

HR 3779 would amend the 1988 Stafford Act to offer low-interest loans to states for ''disaster mitigation projects'', including investments in natural infrastructure projects, which would help communities prepare and recover from natural disasters.

We urge you to support and advance the bills listed above. Please feel free to contact us with any questions.

Sincerely,

JULIE HILL-GABRIEL,
Vice President, Water Conservation, National Audubon Society.

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

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

Mr. Speaker, I rise in support of H.R. 2247.

H.R. 2247 represents good governance by codifying the Environmental Protection Agency's restoration activities in the Puget Sound. The Puget Sound is the Nation's second largest estuary, supporting more than 4.5 million people, more than $365 million in gross domestic product, and a wide variety of species.

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

Mrs. NAPOLITANO. Mr. Speaker, I yield 7 minutes to the gentleman from Washington (Mr. HECK).

Mr. HECK. Mr. Speaker, I thank the gentlewoman from California.

Mr. Speaker, I do indeed rise in strong support of H.R. 2247, the Promoting United Government Efforts to Save Our Sound, or the PUGET SOS Act.

As indicated, Puget Sound is, in fact, located in western Washington, but it is a national treasure. Indeed, to modify just slightly what my friend from Florida suggested, by water volume it is actually the largest estuary in the United States of America.

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

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

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

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

Indeed, that orca, the Southern Resident orca, population is down to 72, arguably not sustainable because we need to save the Sound. And if these trends continue, we will lose much of what makes Puget Sound a national treasure so special. And that should concern us all.

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

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

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

The bill will simply codify the Federal task force to ensure that coordination among Federal agencies continue—and we all want that—into the future and it also creates the Puget Sound Recovery National Program office at the EPA, elevating Puget Sound recovery efforts and putting them on a par with those deservedly of the Great Lakes and Chesapeake Bay.

And for the first time, the bill authorizes funding for Federal Puget Sound recovery actions. This is a product of years of collaboration between Tribal, State, and local stakeholders, including private sector investors.

Specifically, I thank the members of the committee. I especially thank my friend, Congressman KILMER. And I most especially thank my friends across the aisle, who joined in cosponsorship in support of this.

Mr. Speaker, I thank the Northwest Indian Fisheries Commission and the Puget Sound Partnership for their effort. The threats facing the Puget Sound are numerous and they are existential, but I believe that with a strong Federal partnership role and smart investments, we can act before it is too late. We can help recover the Puget Sound and preserve its ecological, economic, and cultural significance for generations to come.

The PUGET SOS Act is a strong first step towards recovery, and I encourage my colleagues to support the bill.

And again, I extend my gratitude to all of those who have put your shoulders to the wheel and gotten it this far in the process.

Mr. MAST. Mr. Speaker, I yield myself such time as he may consume to the gentleman from Washington (Mr. NEWHOUSE).

Mr. NEWHOUSE. Mr. Speaker, I thank the chairman.

We are all saddened, and deeply frustrated, to see the iconic Puget Sound continue to devolve into a dumping ground of human waste and sewage. It is no wonder, the species in our Nation's largest estuary are facing increasing odds of extinction. We must do more to address this environmental crisis.

An aquatic toxicologist working with the National Oceanic and Atmospheric Administration has found that growth rates for salmon species in Puget Sound are stunned, metabolisms are distorted to the point of starvation, and physiological functions are disrupted when exposed to high levels of Prozac, caffeine, cholesterol medication, ibuprofen, bug spray, cocaine, birth control pills, and dozens of other drugs and personal care products present in Puget Sound.

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

□ 1330

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

I want to continue to work with my colleagues to address problems facing endangered fish species throughout our region in a comprehensive manner. The challenges are many:

We must continue to tackle the pinniped issue, the avian predation issue, but we also must ensure that a robust hatchery program is in place;

We must continue to prioritize the world-class fish passage in our hydroelectric infrastructure;

We must continue to take a serious and thoughtful look at fishing and other human-caused impacts; and

We must build upon the habitat improvements and greater ecological conservation measures.

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

the protection of our environment; the reliability of our clean, renewable energy infrastructure; and, certainly, the future of our region's economy and livelihood.

Mrs. NAPOLITANO. Mr. Speaker, I yield 4 minutes to gentleman from Washington (Mr. KILMER).

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

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

Those of us who are lucky enough to call Washington State home know that the Puget Sound is a truly special body of water. Generations of our friends and neighbors have built their lives and made livelihoods on Puget Sound. Tribes, since time immemorial, have called the Sound their home.

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

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

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

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

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

I urge my colleagues to support this bill.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

So I am stepping forward today, as a Representative from eastern Washington, with my colleagues on both sides of the aisle, to say let's focus on what is actually going to get the results, what is going to recover salmon, and what is going to save our orcas.

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

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

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

The challenges facing our Sound are great and are compounded by our State's growth and climate change. Chinook populations remain far below recovery goals, despite having been listed as threatened since 1999 under the Endangered Species Act.

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

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

The Washington State conservation Commission is doing some amazing

work in the agricultural world. Our conservation districts work statewide to implement natural resource improvement projects and build landowner engagement and commitment.

Just one example is the work that the Pierce County conservation District did when they partnered with local farmers to address management practices and were able to have a substantial impact on the health of 278 acres for shellfish harvesting.

The Puget Sound needs protecting. Other bodies of water like the Chesapeake Bay and the Great Lakes have formal program status under the Clean Water Act, which helps ensure their consistent Federal funding. The Puget Sound and all of the wildlife in it deserve the same status under the Clean Water Act.

It is shortsighted and irresponsible to not fight for the Sound and its future. We owe it to the species whose futures are imperiled because of human activity. We owe it to our children and generations we will never know. We absolutely must protect Puget Sound.

Mr. MAST. Mr. Speaker, I am prepared to close. I urge support of this important legislation, and I yield back the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, with all of the support from the Washington delegation, I urge my colleagues to support the legislation, and I yield back the balance of my time.

Mr. HECK. Mr. Speaker, several important considerations underlie the purpose and intent of the Puget SOS Act. Puget Sound and its tributary waters are one of the most ecologically diverse ecosystems in North America with natural resources that have ecological, economic, and cultural importance to the United States and the many Tribal nations that have stewarded it for millennia. The health and productivity of Puget Sound is not only the cornerstone of the region's quality of life and vibrant economy, but its worldclass salmon fishery, commercial aquaculture, agriculture, and port activities ripple throughout the Nation.

Threats to Puget Sound, such as water pollution, sediment contamination, environmental degradation, and habitat loss, jeopardize the economic productivity and natural resources that support the increasing population of the region. For nearly a decade, State, local, and Tribal governments, cooperative partnerships, and concerned citizens have worked together in a deliberate and coordinated way to direct and manage public resource allocation toward habitat restoration, improving water quality and shellfish farms, and developing a body of scientific knowledge, all of which have advanced the Puget Sound recovery efforts.

Tribal governments with treaty-reserved rights in the natural resources of Puget Sound have long served as co-managers of fishery resources, have engaged in Puget Sound Partnership processes and public forums to encourage a holistic and scientific approach to recovery efforts, and have continued in their role as stewards of Puget Sound, including by engaging with multi-faceted restoration and protection actions, and are thus an indispensable, equal partner in all Puget Sound recovery actions.

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

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

Significant declines in the populations of wild Chinook Salmon, Coho Salmon, Summer Chum Salmon, Steelhead, and Pacific Herring, which are essential food sources for humans, fish, seabirds, mammals, and other wildlife;

Risks to the sustainability of fish arid- shellfish populations, and their food chains, reproductive cycles, and habitats, which also threaten Federal obligations to protect Tribal resources, culture, traditions, and economies;

Marine species being listed as at-risk or vulnerable to extinction, according to State, Federal, and provincial lists that identify the species of Puget Sound and surrounding areas, including the iconic population of southern resident Orca whales;

Sediment contaminated with toxic substances—such as polychlorinated biphenyls (PCBs), heavy metals (mercury), and oil (grease)—polluting Puget Sound, threatening public health, and posing; significant dangers to humans, fish, and wildlife;

Rivers and beaches failing to meet water quality standards and becoming unsafe for salmon, as well as business and recreational activities, such as fishing and swimming;

The closing of shellfish beds from contaminated pollution caused by sources such as stormwater and agricultural runoff; and

Mortalities and morbidity in shellfish due to the acidification of Puget Sound.

Puget Sound is a national treasure and its recovery and protection will significantly contribute to the environmental, cultural, and economic well-being of the United States and the many Tribal nations that have stewarded it for millennia.

The PUGET SOS Act underscores the recognition that Federal Government should align its efforts and resources to fully implement and enforce the goals of the Federal Water Pollution Control Act, including State implementation of non-point source water quality standards for salmon, the Endangered Species Act of 1973, and all other Federal laws that contribute to the recovery and protection of Puget Sound. The Act also recognizes that the Federal Government should uphold Federal trust responsibilities to restore and protect resources crucial to Tribal treaty rights—including by carrying out government-to-government consultation—as well as support regional, local, and Tribal efforts to address environmental challenges.

The PUGET SOS Act is intended, among other things, to ensure that the recovery and protection programs, projects, and initiatives that the Federal Government undertakes in, or that otherwise impact, Puget Sound shall be actively coordinated and aligned with the protection of Tribal treaty rights and resources, the Treaty Rights at Risk Initiative, Salmon Recovery Plans, the Coastal Nonpoint Pollution Control Program, and the Puget Sound Action Agenda.

Mr. Speaker, I am grateful to all stakeholders who have come together to advocate for the recovery and protection of Puget Sound. The PUGET SOS Act is an important step towards those goals, and I urge my colleagues to support its passage.

The SPEAKER pro tempore (Mr. KEATING). The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 2247, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1345

CHESAPEAKE BAY PROGRAM REAUTHORIZATION ACT

Mrs. NAPOLITANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1620) to amend the Federal Water Pollution Control Act to reauthorize the Chesapeake Bay Program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1620

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Chesapeake Bay Program Reauthorization Act''.

SEC. 2. REAUTHORIZATION OF CHESAPEAKE BAY PROGRAM.

Section 117(j) of the Federal Water Pollution Control Act (33 U.S.C. 1267(j)) is amended by striking ''$40,000,000 for each of fiscal years 2001 through 2005'' and inserting ''$90,000,000 for fiscal year 2021, $90,500,000 for fiscal year 2022, $91,000,000 for fiscal year 2023, $91,500,000 for fiscal year 2024, and $92,000,000 for fiscal year 2025''.

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

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. NAPOLITANO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1620, as amended.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 1620. Introduced by the gentlewoman from Virginia (Mrs. LURIA), H.R. 1620 authorizes the funding for the program for the next five fiscal years, with increased funding levels to better advance Bay restoration protection efforts. This includes $90 million for the

upcoming fiscal year, incrementally rising to $92 million for fiscal year 2025.

Since its funding in 1983, EPA's Chesapeake Bay Program has been working toward improving the water quality and ecosystem health of the single largest estuary in the U.S. Reaching to six States, and the District of Columbia, I might add, the Bay is a cherished water and the number of people and local economies impacted by its health make a program like this very essential.

However, as stakeholders noted in our June 2019 hearing, the ecosystem remains under major stress. The Bay is threatened by nutrient and sediment loads from sources like agricultural runoff, wastewater treatment facilities, land-use changes, urban stormwater runoff and atmospheric deposition. We must continue to prioritize programs like the Chesapeake Bay Program and the protection of our Nation's water. This bill will support the continued cooperative efforts of all involved to achieve the protection of the Chesapeake Bay.

I would like to recognize several of the bipartisan committee members cosponsoring the bill, including the gentlewoman from the District of Columbia (Ms. NORTON), the gentleman from Maryland (Mr. BROWN), and the gentleman from Pennsylvania (Mr. FITZPATRICK), and also a former Member of Congress, God rest his soul, Mr. Cummings.

Mr. Speaker, I include in the RECORD letters of support of H.R. 1620 from: Theodore Roosevelt Conservation Partnership, the National Audubon Society, Backcountry Hunters & Anglers, and the Chesapeake Bay Foundation.

SEPTEMBER 17, 2019.

Hon. GRACE F. NAPOLITANO,
Chairman, House Transportation and Infrastructure Subcommittee on Water Resources and Environment, Washington, DC.
Hon. BRUCE WESTERMAN,
Ranking Member, House Transportation and Infrastructure Subcommittee on Water Resources and Environment, Washington, DC.

DEAR CHAIRMAN NAPOLITANO AND RANKING MEMBER WESTERMAN: The Theodore Roosevelt Conservation Partnership (TRCP) is a national coalition of sportsmen, conservation, and outdoor industry organizations that seeks to ensure all Americans have access to quality places to hunt and fish. We partner with 60 hunting, fishing, and conservation organizations to unite and amplify the voices of America's more-than 40 million sportsmen and women whose activities help sustain the $887-billion outdoor recreation economy.

Today, we write in support of the Chesapeake Bay Program Reauthorization Act (H.R. 1620). The legislation would reauthorize the Chesapeake Bay Program and increase its authorized funding level to $90,000,000 for fiscal year 2020 and then increase its authorized funding level by half a million dollars each year through fiscal year 2024. The Chesapeake Bay Program provides critical federal investment, which is then leveraged several-fold by state and local dollars, to improve the quality of water and wetlands habitat in the Bay watershed.

The Chesapeake Bay Program is important to the continued conservation and restoration of the Chesapeake Bay. While the health of the Bay had been consistently improved over the last decade, the 2018 State of the Bay Report showed that the health of the Bay declined over the past year due to an incredible amount of rainfall that greatly increased the amount of nitrogen, phosphorous, sediment, and debris that flowed into the Bay. Without a significant increase in funding for federal programs that help to restore the Bay, such as the EPA's Chesapeake Bay Program, this iconic waterbody will not be able to recover.

Thank you for your consideration and we look forward to working with your subcommittee to help increase funding in order to conserve and restore our iconic waterbodies.

Respectfully,

THEODORE ROOSEVELT CONSERVATION PARTNERSHIP.

AUDUBON, NATIONAL AND INTERNATIONAL PROGRAMS,
September 18, 2019.

Hon. PETER DEFAZIO,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.
Hon. SAM GRAVES,
Ranking Member, Committee on Transportation and Infrastructure, Washington, DC.
Hon. GRACE NAPOLITANO,
Chairwoman, Subcommittee on Water Resources and Environment, Washington, DC.
Hon. BRUCE WESTERMAN,
Ranking Member, Subcommittee on Water Resources and Environment, Washington, DC.

On behalf of the National Audubon Society's more than 1 million members, our mission is to protect birds and the places they need for today and tomorrow. We write to offer our support for the following bills related to important coastal and water conservation issues that will be the subject of the September 19, 2019 Markup before the Committee on Transportation and Infrastructure Committee.

HR 4031—GREAT LAKES RESTORATION INITIATIVE ACT OF 2019

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

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

HR 1132—SAN FRANCISCO BAY RESTORATION ACT

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

HR 1132 would authorize a San Francisco Bay Restoration Grant Program in EPA and funding of up to $25m per year to support the restoration of this estuary.

HR 1620—CHESAPEAKE BAY PROGRAM REAUTHORIZATION ACT

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

HR 1620 would increase the authorization of appropriations for the Chesapeake Bay Program to more than $90m per year.

HR 2247—PROMOTING UNITED GOVERNMENT EFFORTS TO SAVE OUR SOUND ACT

Despite significant investments in Puget Sound ecosystem health by state, federal, tribal and local governments, concerned members of the public, and conservation organizations, progress towards ecosystem recovery targets remains slow. The number of marine birds wintering in Puget Sound has declined significantly in the last 30 years and migratory, fisheating birds appear to be at the greatest risk.

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

HR 3779—RESILIENCE REVOLVING LOAN FUND ACT OF 2019

Pre-disaster planning can help communities adapt to the changing flood patterns that threaten people and birds species dependent on shoreline and riverine areas. These changes have led to more frequent instances of ''nuisance flooding,'' as well as catastrophic events. NOAA has found that ''nuisance'' or ''sunny day'' flooding is up 300% to 900% than it was 50 years ago. In addition, catastrophic flooding events have increased in both frequency and intensity. These trends have been particularly pronounced in the Northeast, Midwest and upper Great Plains, where the amount of precipitation in large rainfall events has increased more than 30 percent above the average observed from 1901–1960. As sea level rise accelerates, it only exacerbates these impacts, which further compounds vulnerability in flood-prone communities.

HR 3779 would amend the 1988 Stafford Act to offer low-interest loans to states for ''disaster mitigation projects'', including investments in natural infrastructure projects, which would help communities prepare and recover from natural disasters.

We urge you to support and advance the bills listed above. Please feel free to contact us with any questions.

Sincerely,

JULIE HILL-GABRIEL,
Vice President, Water Conservation, National Audubon Society.

BACKCOUNTRY HUNTERS & ANGLERS,
Missoula, MT, September 18, 2019.

Hon. PETER DEFAZIO,
Chairman, House Transportation & Infrastructure Committee, Washington, DC.

Hon. SAM GRAVES,
Ranking Member, House Transportation & Infrastructure Committee, Washington, DC.

DEAR CHAIRMAN DEFAZIO AND RANKING MEMBER GRAVES: On behalf of Backcountry Hunters & Anglers (BHA), the fastest growing organization that represents sportsmen and women in North America, I encourage you to support House Transportation & Infrastructure Committee and floor passage of Rep. Elaine Luria's (D–VA) Chesapeake Bay Program Reauthorization Act (H.R. 1620) and Rep. David Joyce's (R–OH) Great Lakes Restoration Initiative Act (H.R. 4031).

Over the last decade the health of the Bay's ecosystem has improved. However, with increased rainfall in the region and the amount of sediment, phosphorous, debris and nitrogen eroding into the Chesapeake watershed, the water quality is on the decline.

H.R. 1620 reauthorizes an important conservation and restoration program that safeguards the Chesapeake Bay watershed and increases the funding level to $90 million for fiscal year 2020 and grows by $500,000 each year until fiscal year 2024. Lawmakers funded the Chesapeake Bay Program at $73 million annually for the past few years. The additional funds will restore the health of the Bay and boost the regional economy that depends on it for agricultural and outdoor recreation opportunities.

The second bill, H.R. 4031 reauthorizes funding to conserve and restore the Great Lakes, the largest bodies of fresh water in the world by incremental increases of $25 million annually until fiscal year 2026. The Great Lakes Restoration Initiative is a successful program that strategically targets critical areas through multiple action plans and public input. Increasing funds will furthermore expand fish and habitat rehabilitation and implement collaborative projects between federal, state and local stakeholders.

The Chesapeake Bay and Great Lakes programs provide necessary federal investments that leverage state and local dollars to improve water quality and fish and wildlife habitat for Canada geese, speckled trout and other game species. BHA believes H.R. 1620 and H.R. 4031 are essential to the health of fish and wildlife and the general public who depend on clean water for agriculture and municipal needs at home.

Thank you for the opportunity to express our support for the Chesapeake Bay Program Reauthorization Act and the Great Lakes Restoration Initiative Act. We look forward to working with you to advance the legislation through the House.

Sincerely,

JOHN W. GALE,
Conservation Director, Backcountry Hunters & Anglers.

CHESAPEAKE BAY FOUNDATION,
Annapolis, MD, November 5, 2019.

Hon. ELAINE LURIA,
House of Representatives, Washington, DC.

DEAR CONGRESSWOMAN LURIA: Thank you for sponsoring H.R. 1620, the Chesapeake Bay Program Reauthorization Act. As the preeminent organization dedicated to Saving the Bay, we're proud to support this legislation. As you know, the Chesapeake Bay Program is the glue that holds the Chesapeake Bay Clean Water Blueprint together and provides essential oversight to ensure that all are doing their part.

H.R. 1620 reauthorizes this program and provides a steady annual increase in funding over the next five years. This demonstrates Congress's continued bipartisan commitment to restoring the Bay and acknowledges the accelerated efforts that are needed to ensure that the requirements of the Blueprint are met by 2025.

This is essential at this critical juncture. The partnership has proven to be effective: dead zones are getting smaller; bay grasses are rebounding; oyster restoration is underway; and local economies are improving. However, the Bay is facing new challenges due to threats from the impacts of climate change, increased loads from the Conowingo Dam, regulatory rollbacks, and shortfalls in funding (including the over $320 Million annual shortfall identified by Pennsylvania in its latest Watershed Implementation Plan). Simply stated, there is still significant work to be done and the leadership role of the federal government and the Executive Council at this stage is paramount. Passing H.R. 1620, and its companion bill, S. 701, will be an important piece to ensure that the Bay jurisdictions fulfill their obligations under the Blueprint.

We look forward to working with you and your fellow cosponsors to pass this vital bipartisan legislation. Again, thank you for your leadership on this issue.

Sincerely,

WILL BAKER,
President & CEO.

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

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

Mr. Speaker, I rise in support of H.R. 1620, the Chesapeake Bay Program Reauthorization Act.

H.R. 1620 represents good governance to reauthorize the Chesapeake Bay Program and passed out of the committee with strong bipartisan support.

The Chesapeake Bay watershed is one of the largest estuaries in the United States, covering 64,000 square miles; is home to more than 18 million people; hosts two major ports as major international gateways for trade; and produces about 500 million pounds of seafood each year, some of which I enjoyed just the other day.

I want to thank Members for their continued support for the restoration of the Chesapeake Bay, including Mr. WITTMAN of Virginia, Mr. RIGGLEMAN of Virginia, and Mr. FITZPATRICK of Pennsylvania. I know this issue is very important to their districts, their constituencies, and to the entire region and, frankly, the Nation.

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

Mrs. NAPOLITANO. Mr. Speaker, I yield 5 minutes to the gentlewoman from Virginia (Mrs. LURIA), the lead sponsor.

Mrs. LURIA. Mr. Speaker, I rise today in support of my bill, the Chesapeake Bay Program Reauthorization Act. This bipartisan bill will reauthorize $455 million for the Chesapeake Bay Program over the next 5 years.

The Chesapeake Bay is one of our Nation's greatest national treasures. It helps generate $33 billion in economic value annually and is home to spectacular natural beauty and ecological diversity. The EPA's Chesapeake Bay Program coordinates regional conservation efforts, but Congress has not reauthorized this critical program since 2005.

Thanks to innovative partnerships between local, State, and Federal agencies and NGOs, the health of the Bay has improved in recent years. But this progress is fragile, and unless Congress acts, we risk losing these gains.

In 2014, all States within the Chesapeake Bay Watershed and the District of Columbia signed the Chesapeake Bay Watershed Agreement. This partnership committed these States to work together and with the EPA to put in place all the necessary conservation practices by 2025.

Part of this agreement includes setting a limit, called the Total Maximum Daily Load, or TMDL, on pollution from chemicals like nitrogen and phosphorus.

The EPA's Chesapeake Bay Program supports the work of States in meeting their commitments under this agreement. Funding for the Bay program goes directly to localities to improve local conservation efforts.

By passing the Chesapeake Bay Program Reauthorization Act, Congress will reaffirm that all States in the watershed and the EPA must work together to achieve these restoration goals. This includes ensuring that all States have plans in place to comply with the TMDL and all other necessary conservation goals.

I want to thank my friends and colleagues on both sides of the aisle, Congressman BOBBY SCOTT, Congressman ROB WITTMAN, and Congressman JOHN SARBANES for working with me to achieve this bipartisan victory for the Bay.

I also thank Chairwoman NAPOLITANO and Ranking Member WESTERMAN for their support in bringing this bill to the floor.

Mr. Speaker, I urge my colleagues to support this critical bill.

Mr. MITCHELL. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Mr. Speaker, I rise in support today of H.R. 1620, the Chesapeake Bay Program Reauthorization Act, that will extend and fund the Environmental Protection Agency's Chesapeake Bay Program until 2024.

I am proud to have joined my colleagues from the Chesapeake Bay Watershed, Representatives ELAINE LURIA, BOBBY SCOTT, and JOHN SARBANES in introducing this important legislation.

The Chesapeake Bay is, indeed, a national treasure and a centerpiece of the culture and economy of many communities in Virginia and neighboring States.

A clean and healthy Bay is the right thing to do for future generations, but it will also support local economies and provide numerous other economic and quality-of-life benefits.

The commercial seafood industry alone employs 34,000 in Virginia and

Maryland and generates $3.4 billion in sales.

A clean and healthy Bay also supports a vibrant tourism and outdoor recreational industry. These industries in the watershed support over 820,000 jobs and $13 billion in income.

EPA's Chesapeake Bay Program does important work in partnership with Bay States to control pollution and manage nutrient runoff into the rivers feeding into the Bay.

Through the Chesapeake Bay Program, we see the overall health of the Bay has improved significantly over the last 30 years. We are seeing better water quality, more rockfish, more blue crabs, more oysters, and the list goes on and on.

However, without continued collaboration among stakeholders and Federal support, progress in the Bay is indeed threatened. With today's actions, we are one step closer to ensuring that the Chesapeake Bay remains the economic foundation of our region that will be enjoyed for generations to come.

We all enjoy the Bay, whether we are in the Bay watershed or outside the Bay watershed. It really is, indeed, a national treasure.

If you look and think about the Bay, the workboats that you see there on a daily basis, the great way of life of folks in these waterside communities, it really is, I think, incumbent upon all of us to work hard and make sure we continue, not just to preserve the Bay, but make sure we see the Bay improve in water quality.

It plays an important role in my family. My son is a commercial fisherman, what we call in our area, a waterman, so he lets me know on a daily basis what is right and what is not right with the Chesapeake Bay, and encourages me to make sure we are doing everything we can to continue as good stewards of that fantastic resource, to make sure it continues to provide for those people that make their living off of the water; but also provides for the quality of life of those folks that live in the watershed, and continues to be a national treasure.

Even today under the stress, it is, indeed, one of the most productive water bodies in the entire world. If we continue on this path of improving the water quality there, I believe it can be even more productive and provide even more economic value, as well as just that intrinsic value that it provides to all of us; not just those in the watershed but to us as a Nation.

I urge my colleagues to join me in supporting this measure and continuing the vital work of saving the Chesapeake Bay.

Mrs. NAPOLITANO. Mr. Speaker, I wish to inquire if my colleague is ready to close.

Mr. MITCHELL. Mr. Speaker, I am ready to close.

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

Mr. MITCHELL. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge everyone to think of what Mr. WITTMAN and our colleagues on the other side of the aisle stated; that this Chesapeake Bay, it is a tremendous resource to our Nation, recreational opportunities, the shipping opportunities in it, never mind the wonderful seafood.

I urge support of this bipartisan piece of legislation by all Members, and I yield back the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself the balance of my time.

I am glad that this bill gets bipartisan support from Members of Congress and I intend to support the bill. I urge all my colleagues to support it.

I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I rise today in support of H.R. 1620, the Chesapeake Bay Program Reauthorization Act. I commend my colleague and fellow Virginian, Congresswoman ELAINE LURIA, for introducing this bill which will further the Chesapeake Bay's ongoing restoration. As a co-chair of the bipartisan Chesapeake Bay Task Force, I recognize the critical role that the Environmental Protection Agency (EPA) and it's Chesapeake Bay Program play in coordinating the multi-state restoration effort. I am proud to be an original cosponsor of this legislation.

Deterioration of the Bay and how to best address the problem has been a concern for almost half a century. While serving as a member of the Virginia House of Delegates, I was part of a joint Virginia-Maryland legislative advisory commission focused on determining what actions were necessary to address Bay issues. We concluded that restoring the Bay would require more than just Virginia and Maryland, but rather, the collaboration of the entire 64,000 square-mile watershed.

The EPA's Chesapeake Bay Program, which was created during the Reagan Administration and ratified by Congress in 1987, facilitates the cooperation between the watershed states and the federal government to restore the Bay. Re-authorization of the critical Chesapeake Bay Program is long overdue.

Increases in underwater grasses and the blue crab population indicate our efforts are working, however more resources and continued coordination efforts are necessary to ensure that these gains are maintained and that the Chesapeake Bay is protected. The Total Maximum Daily Load, sometimes referred to as a "pollution diet," was established in 2010 and is a key part of the EPA's Chesapeake Bay Program and the EPA's role in establishing and enforcing those limits are an essential part of the ongoing restoration process.

The Chesapeake Bay is a national commercial, recreational, ecological treasure and we have a moral responsibility to preserve it. I commend the Committee on Transportation and Infrastructure for reporting this bill favorably to the full House and I urge my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 1620, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GREAT LAKES RESTORATION INITIATIVE ACT OF 2019

Mrs. NAPOLITANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4031) to amend the Federal Water Pollution Control Act to reauthorize the Great Lakes Restoration Initiative, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4031

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Great Lakes Restoration Initiative Act of 2019'' or the ''GLRI Act of 2019''.

SEC. 2. GREAT LAKES RESTORATION INITIATIVE REAUTHORIZATION.

Section 118(c)(7)(J)(i) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)(7)(J)(i)) is amended—

(1) by striking ''is authorized'' and inserting ''are authorized'';

(2) by striking the period at the end and inserting a semicolon;

(3) by striking ''this paragraph $300,000,000'' and inserting the following: ''this paragraph—

''(I) $300,000,000''; and

(4) by adding at the end the following:

''(II) $375,000,000 for fiscal year 2022;

''(III) $400,000,000 for fiscal year 2023;

''(IV) $425,000,000 for fiscal year 2024;

''(V) $450,000,000 for fiscal year 2025; and

''(VI) $475,000,000 for fiscal year 2026.''.

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

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. NAPOLITANO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4031.

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

There was no objection.

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

H.R. 4031 would reauthorize Federal appropriations for EPA's Great Lakes Restoration Initiative.

Introduced by the gentleman from Ohio (Mr. JOYCE), H.R. 4031 authorizes total appropriations of approximately $2.5 billion over the next 5 years for restoration efforts under EPA's GLRI program. The wide support for this bipartisan program is evidenced by the diversity of cosponsors of the bill, including many of the committee members, such as Mr. GIBBS, Mr. CARSON, Mr. KATKO, Mr. MITCHELL, Mr. GALLAGHER, and Mr. STAUBER.

The Great Lakes region encompasses eight different States and is home to more than 30 million people. These

waters are a national treasure and contain 84 percent of the fresh water of all North America.

As a Representative of a State where the availability of water is always, always an issue, I recognize why the Great Lakes Members are so devoted to protecting the water supply. So are we. Congress needs to renew its commitment to these types of programs which protect and restore our Nation's water.

We all know the current challenges facing our States to protect our water resource, including harmful effects of algal blooms. Many of our States are dealing with these challenges as we speak, and the Great Lakes are no exception. One such bloom in 2014 forced a drinking water ban that affected half a million people.

The Great Lakes Restoration Initiative has been a critical tool for EPA and Great Lakes States to address ongoing challenges on local water quality, including algal blooms. So H.R. 4031 is necessary to support these efforts.

I urge all Members to support this very bipartisan bill to continue efforts for rehab on our precious Great Lakes.

Mr. Speaker, I include in the RECORD letters of support from: Backcountry Hunters & Anglers, the National Audubon Society, and Healing Our Waters Great Lakes Coalition.

BACKCOUNTRY HUNTERS & ANGLERS,
Missoula, MT, September 18, 2019.

Hon. PETER DEFAZIO,
Chairman, House Transportation & Infrastructure Committee, Washington, DC.
Hon. SAM GRAVES,
Ranking Member, House Transportation & Infrastructure Committee, Washington, DC.

DEAR CHAIRMAN DEFAZIO AND RANKING MEMBER GRAVES: On behalf of Backcountry Hunters & Anglers (BHA), the fastest growing organization that represents sportsmen and women in North America, I encourage you to support House Transportation & Infrastructure Committee and floor passage of Rep. Elaine Luria's (D–VA) Chesapeake Bay Program Reauthorization Act (H.R. 1620) and Rep. David Joyce's (R–OH) Great Lakes Restoration Initiative Act (H.R. 4031).

Over the last decade the health of the Bay's ecosystem has improved. However, with increased rainfall in the region and the amount of sediment, phosphorous, debris and nitrogen eroding into the Chesapeake watershed, the water quality is on the decline.

H.R. 1620 reauthorizes an important conservation and restoration program that safeguards the Chesapeake Bay watershed and increases the funding level to $90 million for fiscal year 2020 and grows by $500,000 each year until fiscal year 2024. Lawmakers funded the Chesapeake Bay Program at $73 million annually for the past few years. The additional funds will restore the health of the Bay and boost the regional economy that depends on it for agricultural and outdoor recreation opportunities.

The second bill, H.R. 4031 reauthorizes funding to conserve and restore the Great Lakes, the largest bodies of fresh water in the world by incremental increases of $25 million annually until fiscal year 2026. The Great Lakes Restoration Initiative is a successful program that strategically targets critical areas through multiple action plans and public input. Increasing funds will furthermore expand fish and habitat rehabilitation and implement collaborative projects between federal, state and local stakeholders.

The Chesapeake Bay and Great Lakes programs provide necessary federal investments that leverage state and local dollars to improve water quality and fish and wildlife habitat for Canada geese, speckled trout and other game species. BHA believes H.R. 1620 and H.R. 4031 are essential to the health of fish and wildlife and the general public who depend on clean water for agriculture and municipal needs at home.

Thank you for the opportunity to express our support for the Chesapeake Bay Program Reauthorization Act and the Great Lakes Restoration Initiative Act. We look forward to working with you to advance the legislation through the House.

Sincerely,

JOHN W. GALE,
Conservation Director, Backcountry Hunters & Anglers.

AUDUBON, NATIONAL AND INTERNATIONAL PROGRAMS,
September 18, 2019.

Hon. PETER DEFAZIO,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.
Hon. SAM GRAVES,
Ranking Member, Committee on Transportation and Infrastructure, Washington, DC.
Hon. GRACE NAPOLITANO,
Chairwoman, Subcommittee on Water Resources and Environment, Washington, DC.
Hon. BRUCE WESTERMAN,
Ranking Member, Subcommittee on Water Resources and Environment, Washington, DC.

On behalf of the National Audubon Society's more than 1 million members, our mission is to protect birds and the places they need for today and tomorrow. We write to offer our support for the following bills related to important coastal and water conservation issues that will be the subject of the September 19, 2019 Markup before the Committee on Transportation and Infrastructure Committee.

HR 4031—GREAT LAKES RESTORATION INITIATIVE ACT OF 2019

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

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

HR 1132—SAN FRANCISCO BAY RESTORATION ACT

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

HR 1132 would authorize a San Francisco Bay Restoration Grant Program in EPA and funding of up to $25m per year to support the restoration of this estuary.

HR 1620—CHESAPEAKE BAY PROGRAM REAUTHORIZATION ACT

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

HR 1620 would increase the authorization of appropriations for the Chesapeake Bay Program to more than $90m per year.

HR 2247—PROMOTING UNITED GOVERNMENT EFFORTS TO SAVE OUR SOUND ACT

Despite significant investments in Puget Sound ecosystem health by state, federal, tribal and local governments, concerned members of the public, and conservation organizations, progress towards ecosystem recovery targets remains slow. The number of marine birds wintering in Puget Sound has declined significantly in the last 30 years and migratory, fisheating birds appear to be at the greatest risk.

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

HR 3779—RESILIENCE REVOLVING LOAN FUND ACT OF 2019

Pre-disaster planning can help communities adapt to the changing flood patterns that threaten people and birds species dependent on shoreline and riverine areas. These changes have led to more frequent instances of ''nuisance flooding,'' as well as catastrophic events. NOAA has found that ''nuisance'' or ''sunny day'' flooding is up 300% to 900% than it was 50 years ago. In addition, catastrophic flooding events have increased in both frequency and intensity. These trends have been particularly pronounced in the Northeast, Midwest and upper Great Plains, where the amount of precipitation in large rainfall events has increased more than 30 percent above the average observed from 1901–1960. As sea level rise accelerates, it only exacerbates these impacts, which further compounds vulnerability in flood-prone communities.

HR 3779 would amend the 1988 Stafford Act to offer low-interest loans to states for ''disaster mitigation projects'', including investments in natural infrastructure projects, which would help communities prepare and recover from natural disasters.

We urge you to support and advance the bills listed above. Please feel free to contact us with any questions.

Sincerely,

JULIE HILL-GABRIEL,
Vice President, Water Conservation, National Audubon Society.

HEALING OUR WATERS, GREAT LAKES COALITION,
December 3, 2019.

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

DEAR SPEAKER PELOSI: On behalf of the Healing Our Waters-Great Lakes Coalition, I write to urge the House of Representatives to bring to the floor for consideration H.R. 4031, the Great Lakes Restoration Initiative Act of 2019, before the end of the year. The bill, which is led by Reps. David Joyce and Marcy Kaptur, has broad bipartisan support with 50 cosponsors almost evenly divided and was unanimously supported in the Transportation & Infrastructure Committee in September. The Great Lakes define our region's way of life, provide drinking water for over 30 million Americans, and is at the heart of a binational economy that is the 3rd largest in the world. The Great Lakes Restoration Initiative has been restoring these waters and protecting the health and well-being of those that rely on them.

H.R. 4031 reauthorizes the successful Great Lakes Restoration Initiative and helps meet the on-the-ground needs of communities by increasing the annual authorization over five years to $475 million. Over the past decade the GLRI has improved lives across Great Lakes communities after decades of environmental damage threatened public health, the regional economy, and drinking water. The GLRI has allowed the 8–state region to undertake one of the world's largest freshwater ecosystem restoration projects. Since its inception, the initiative has resulted in economic returns of more than 3 to 1 across the region and made tremendous progress. For example, the GLRI has:

Tripled the delisting of areas with extreme degradation (Areas of Concern or AOCs)

Increased the remediation of environmental and public health impairments nearly sevenfold

Doubled farmland acres under conservation, reducing nutrient and sediment runoff

Invested in critical research and forecasting of toxic algal blooms

Controlled and stopped the advance of invasive species

Restored habitat connectivity to over 5,250 river miles

Even with these results, there is still much work to be done. Two-thirds of beneficial use impairments remain untreated across 19 AOCs, placing the health of communities at risk. Drinking water and coastal economies remain under threat from toxic algal blooms that have shut down entire water systems, as was seen in Toledo, Ohio in 2014. Invasive species, like Asian Carp, are knocking at the door of the lakes and threaten its $7 billion fishery. Moreover, emerging contaminants and a changing climate continue to exacerbate the challenges we face, many of which disproportionately impact people that have historically borne the brunt of environmental injustice. This underscores the urgency for the GLRI to address these growing threats by working to ensure restoration investments lead to equitable outcomes for everyone in the region.

The GLRI has been an environmental and economic success, but much work remains. The region stands ready to continue this important federal partnership and ensure that all benefit from and enjoy these investments in restoration and protection.

Since 2004, the Healing Our Waters-Great Lakes Coalition has been harnessing the collective power of more than 160 non-governmental organizations representing millions of people, whose common goal is to restore and protect the Great Lakes. We are pleased to offer our support for this much-needed bill and urge House leadership to bring the bill to the floor for a vote.

Sincerely,

LAURA RUBIN,
Director.

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

□ 1400

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

I rise in support of H.R. 4031. H.R. 4031 is a critical bill to reauthorize the Great Lakes Restoration Initiative, an initiative near and dear to my heart and the Great Lakes Caucus.

The Great Lakes, as was noted, is the largest system of fresh surface water in the world. The GLRI, as it is known, has been a catalyst for unprecedented partnership between Federal, State, and local agencies for years to improve the ecosystem, to improve water quality, and to support the economy of the entire Great Lakes region and the Nation.

H.R. 4031 has broad and bipartisan support with nearly 50 cosponsors, and I am proud to be one of those cosponsors. I thank our Members for continued support for the restoration of our Great Lakes. This issue is very important to my district and many other Members' districts in our Congress here.

The Great Lakes have an incredible impact on our region's way of life that cannot be overstated. At one point in time when I was younger, we actually had a license plate that called Michigan the Water Wonderland because of the importance of the Great Lakes on our State.

States all along the Great Lakes rely on them as a freshwater resource, a driver of our local and national economy, and a world-renowned recreation destination. It impacts from Minnesota all the way to New York.

In my home State of Michigan, we have the most Great Lakes shoreline of any State, with more than 3,000 miles of our State shaped by four of the five Great Lakes. My district is nearly surrounded by the Great Lakes system.

The projects that the GLRI makes possible have a proven track record of success and impact in our communities.

Take the Marysville shoreline in Michigan's 10th District, my home district, as an example. The GLRI provided the funds to remove a failing seawall and replace it with a natural, sloping shore.

Additionally, further south of my district, the restoration of wetlands in the Harsens Island area provided habitat for waterfowl and fish that had been destroyed over the years.

These projects resulted in the creation of jobs in the region, habitat restoration for wildlife, and a pathway for people to walk along the river or the lake, to view and enjoy it. This is one of the countless examples that highlights the importance of the GLRI for Great Lakes communities like mine and throughout the region.

GLRI investments have delivered great outcomes, but there is more work to be done to protect our Great Lakes, including stopping the spread of invasive species, like Asian carp; protecting our drinking water, a critical and urgent need; and restoring habitat loss.

I have advocated for GLRI since I arrived here and recently spoke with the President about the importance of the Great Lakes Restoration Initiative. It is crucial that Congress continues to authorize this program that protects and restores the Great Lakes. It, like many other estuaries we have talked about today, is a national treasure that our country relies on for drinking water, commerce, and more.

Mr. Speaker, H.R. 4031 offers a chance to continue this support. I urge all of my colleagues to support this bill, and I reserve the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. GARCÍA).

Mr. GARCÍA of Illinois. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I thank Representative JOYCE and Chairwoman NAPOLITANO for their leadership on this matter. I rise today in support of the Great Lakes Restoration Initiative Act to protect and improve the health of the Great Lakes and directly benefit the surrounding region.

I hail from Chicago and the Nation's gold coast along Lake Michigan. We know how important a healthy Great Lakes system is. Lake Michigan is not only Chicago's primary drinking water source, it is part of the largest freshwater source in the world, our beloved Great Lakes. Lake Michigan is a tremendous recreational resource and economic asset for Chicago and the State of Illinois.

Longstanding concerns, like the potential of Asian carp migrating into the lake, underscore the importance of advancing this important legislation.

This bill will support many projects important to the region. Chicago public schools, for example, were able to install green infrastructure and new community space at four elementary schools. The project added 1.2 million gallons of onsite stormwater storage capacity to reduce stormwater runoff throughout Chicago.

In Beach Park, Illinois, a project helped stabilize and protect streambed habitat. This, in turn, reduced nutrient pollution, sediment runoff, and increased water quality in both Bull Creek and Lake Michigan.

This bill will provide a much-needed increase in funding for the Great Lakes Restoration Initiative to support the continued restoration of coastal wetlands, the preservation of water quality, and the control of invasive species.

H.R. 4031 will protect the Great Lakes for future generations. I urge my colleagues to support this legislation. I thank Chairwoman NAPOLITANO and Representative JOYCE for advancing this important measure.

Mr. MITCHELL. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. JOYCE).

Mr. JOYCE of Ohio. Mr. Speaker, I thank the gentleman for yielding. I rise today in support of my bill, the Great Lakes Restoration Initiative Act of 2019.

First, I thank Congresswoman MARCY KAPTUR and the 48 other Members from both sides of the aisle who cosponsored this important legislation. These Members come from each of the eight Great Lakes States, and they have been instrumental in advancing this bill to the House floor.

I also thank my colleagues on the Transportation and Infrastructure Committee who unanimously supported the GLRI Act of 2019 during its markup back in September.

I cherish my memories growing up on the shores of Lake Erie, fishing and swimming with my family and friends. Everyone in this Chamber knows that I am not shy about my commitment to protect and restore the Great Lakes, for both current and future generations of Americans.

The Great Lakes are a key economic driver for our Nation. More than 1.5 million jobs are directly connected to the lakes, generating $62 billion in wages annually. That is not to mention the fact that the Great Lakes Basin is home to more than 30 million people and that the lakes hold roughly 21 percent of the entire world's freshwater supply.

That is why I was proud to introduce this bill to authorize this critically important Great Lakes Restoration Initiative for an additional 5 years and increase the program's annual authorized funding level, ensuring communities across the Great Lakes region, including those in my own district of northeast Ohio, can continue to address their on-the-ground needs.

Through the Great Lakes Restoration Initiative, also known as GLRI, EPA coordinates its efforts with other Federal partners like the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers, as well as State agencies, local communities, and nonprofit organizations.

GLRI projects have led to significant environmental benefits in the Great Lakes region since the program was created, helping restore more than 50,000 acres of coastal wetlands and reduce nutrient runoff that leads to harmful algal blooms like the one that shut down Toledo's water system in 2014, impacting hundreds of thousands of Ohioans.

The program also provides for a wide range of economic benefits, like protecting the $7 billion Great Lakes fishery from invasive species like the Asian carp.

In fact, a recent study showed that every dollar spent on GLRI projects through 2016 produces more than $3 in additional economic activity in the region. This means jobs and economic development in waterfront communities like Mentor, Ashtabula, and Conneaut, Ohio.

Simply put, without the GLRI, critical environmental restoration activities and strong economic growth would never have happened. The bill is a great example of the progress we can make when we work together to address the issues facing our communities.

While we have made progress in our efforts to address nearshore health, invasive species, toxic substances, and wildlife habitat, much more work remains to be done to protect the Great Lakes. That is why I urge my colleagues to join me in supporting H.R. 4031, working across party lines to protect the invaluable natural resource and economic powerhouse that is the Great Lakes system.

Mrs. NAPOLITANO. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. HIGGINS).

Mr. HIGGINS of New York. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise to strongly support this bill, which would increase funding to the Great Lakes Restoration Initiative to $475 million by the year 2026.

This funding is essential to the health of the Great Lakes. We have made incredible progress to restore plant and animal habitats, control invasive species, combat harmful algal blooms, improve water quality, and clean up the environment of this region.

The revitalization of the Buffalo River in my district, which was once declared ecologically dead, environmentally destroyed, it is now a destination for nature and recreation and is one of the great success stories of this program.

It has yielded impressive economic benefits. Every $1 in funding generates $3.35 in economic activity. In Buffalo, the number is greater than $4.

Attacks on clean water now threaten the progress that we have already made, and there is still much work left to be done. I urge my colleagues to join me in enthusiastically supporting this bill.

Mr. MITCHELL. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. GIBBS).

Mr. GIBBS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, no question, the Great Lakes are an important environmental and economic resource of the United States—$200 billion in economic activity. So many communities rely on the Great Lakes for drinking water, jobs, recreation, and more.

While the Great Lakes may have had a troubled environmental history, recent restoration and protection efforts have been successful.

The GLRI is a major factor in these efforts, funding projects that will ultimately leave the Great Lakes in a better condition for future generations to enjoy.

Several years ago, when I was chairman of the subcommittee with jurisdiction, we had some concerns, so in our oversight responsibility and to protect taxpayer dollars, I requested the GAO do a study of this program, and it came back with an excellent return. That is why I think we are getting some of these returns about what is going on. Also, it is important that that study gave us some helpful ideas to improve the program. We are seeing that today, and the program is working very well.

I feel good that we did that study, and we know what is going on. We know the taxpayer dollars are protected, and we did our oversight role.

Ohio is home to many important projects funded by the Great Lakes Restoration Initiative: State commissions to reduce phosphorous, Asian carp prevention, and various habitat restoration projects. The GLRI remains an essential element in repairing and preserving the Great Lakes.

I thank my colleague from Ohio (Mr. JOYCE) for sponsoring this bill. I urge my colleagues to support passage of H.R. 4031.

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

Ms. MOORE. Mr. Speaker, I thank the gentlewoman for yielding.

I am so very pleased to rise in support of this bipartisan legislation to reauthorize and strengthen the Great Lakes Restoration Initiative, the GLRI.

Twenty percent of the world's freshwater resides in the Great Lakes. It is a national treasure and a regional economic engine.

I remember when I was first elected in 2004. On election night, I was so excited because I said now I get to represent Lake Michigan. It is one of my favorite constituents.

In its mere one decade of existence, the GLRI has not only generated environmental benefits, but it is helping to generate economic development as waterways that were once polluted, unusable, and off-limits to the public have become attractive to not only recreational users but to businesses that are able to open their doors to the public.

GLRI investments have been used in over 4,000 projects across almost 300,000 square miles of the Great Lakes Basin. It is truly a win-win.

Mr. Speaker, this bill takes the next step to support the ongoing efforts and partnerships that are making this program so successful in Great Lakes communities.

While I don't have much time, I want to highlight a couple of efforts that my constituents who are hard at work to make use of the funds that protect Lake Michigan. Here is one story of a small business owner.

Beth Handle is the owner and operator of Milwaukee Kayak Company, located right on the Milwaukee River in downtown Milwaukee. She came to my

office to share how cleaning up this river has benefited her business. Cleaning up the river changed the river from a place that people didn't want to go.

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

Mrs. NAPOLITANO. Mr. Speaker, I yield an additional 1 minute to Ms. MOORE.

□ 1415

Ms. MOORE. Mr. Speaker, cleaning up the river changed the river from a place that people didn't want to go, and now it is where families go to paddle board, swim, and explore the river and our city. Of course, Milwaukee is A Great Place on a Great Lake.

The Milwaukee Water Commons, while not directly funded by the GLRI, has been working with grantees and others to make sure that communities that have been historically disengaged are in those conversations.

Our Metropolitan Sewerage District is using it to clean up the Milwaukee Estuary, where there is a gathering of three rivers: the Kinnickinnic, the Milwaukee, and the Menomonee Rivers. This estuary is one of 30 areas of pollution concerns in the Great Lakes. The GLRI would fund 65 percent of these projects.

Mr. Speaker, I urge passage of this bill, and I am so delighted that we are debating it here on the floor in this bipartisan manner.

Mr. Speaker, I thank the gentlewoman for yielding.

Mr. MITCHELL. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Indiana (Mrs. WALORSKI), my colleague.

Mrs. WALORSKI. Mr. Speaker, I rise in support of H.R. 4031, the Great Lakes Restoration Initiative Act.

GLRI is a vital program that coordinates Federal efforts among 15 agencies to address the most significant challenges facing the Great Lakes.

The Great Lakes are among our most precious natural resources and a key economic driver in my home State of Indiana. For instance, the recreational boating industry alone provides $2 billion to Indiana's economy each year. Yet the environmental and economic health of our region is under threat from a host of issues facing the Great Lakes, including pollution, severe erosion, loss of native habitat, invasive species, and destructive algae blooms.

GLRI is a critical investment in preserving and protecting the Great Lakes as well as creating jobs and growing our economy. That is why I am proud to be an original cosponsor of H.R. 4031, which would reauthorize the program funding through fiscal year 2026.

Protecting and improving the Great Lakes means making sure current and future generations can experience the natural beauty and the recreational activities like fishing, boating, and hiking that have always been important to our part of the Midwest.

Mr. Speaker, I want to thank Representatives JOYCE and KAPTUR for their hard work on this bipartisan legislation. I also want to thank my fellow Hoosier, Congressman PETE VISCLOSKY, for his decades of service and his leadership in making the Indiana Dunes Indiana's first national park.

Mr. Speaker, I urge my colleagues to protect the Great Lakes by voting for H.R. 4031.

Mrs. NAPOLITANO. Mr. Speaker, I inquire how much time I have remaining.

The SPEAKER pro tempore. The gentlewoman from California has 12 minutes remaining.

Mrs. NAPOLITANO. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I thank the distinguished chairwoman of the Water Resources and Environment Subcommittee for yielding me this time, and I thank her for her unyielding support for water issues across this country, including in our very critical Great Lakes region. She has been a true and unyielding champion on these issues, and I thank her.

Today's package of bills includes key priorities for protecting not just our Great Lakes, but ecosystems across our country. H.R. 4031, the Great Lakes Restoration Initiative Act of 2019, enjoys broad support from the Great Lakes region. The 49 cosponsors of the bill represent every ideological perspective of our caucus, and today's bill, which is on suspension, is a testament of that bipartisan, bicameral critical support.

In that vein, Mr. Speaker, I must also commend my colleague from Ohio, Congressman DAVID JOYCE, for his steadfast effort to work collaboratively to collect signatures for H.R. 4031 so we could move it from 2019 to 2020.

This Great Lakes Act recognizes the enormous, unmet need for the region. The interagency collaborative effort has brought to bear resources, expertise, and stakeholders from across the local, State, and Federal portions of the region and helped to focus resources on a major hot spot.

The Maumee River is the largest river that flows into the entire Great Lakes and is also facing gigantic harmful algal blooms. The Maumee River dumps all of these nutrients into Lake Erie, which then feeds the most productive part of the lake, endangering, annually, native species and creating massive harmful algal blooms with the critical ingredient of microcystin, which is toxic.

Annually, the harmful algal blooms threaten Toledo's drinking water system, which had to be shut down 3 years ago. It threatens the safety of our beaches and longevity of our ecosystem.

This Great Lakes Restoration Initiative is assisting communities to address the root causes of the blooms.

Since 2010, over 4,000 projects have been completed across the basin, the largest watershed in the entire Great Lakes, and a recent University of Michigan study revealed that each dollar spent on the Great Lakes Restoration Initiative will result in $3.35 million in additional economic activity.

The long-term goals of the initiative are delisting of the areas of concern, ensuring that fish are safe to eat and the Asian carp is kept out, and control of numerous environmental problems across our lakes, the largest source of freshwater on our continent.

Today's legislation offers a ramp-up back to the level for the restoration initiative initially envisioned when the program was first funded in fiscal year 2010. So it is pretty new as Federal programs go. This gradual ramp-up represents a consensus across the delegation.

Mr. Speaker, I urge my colleagues to support this important legislation on final passage.

Again, I want to thank Chairwoman GRACE NAPOLITANO for her work across both sides of the aisle and with Members of this House from every region of the country.

Mr. MITCHELL. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. HUIZENGA), my colleague and the co-chair of the Great Lakes Task Force.

Mr. HUIZENGA. Mr. Speaker, I rise today in support of continued preservation and restoration of the Great Lakes through the Great Lakes Restoration Initiative, a very important initiative for the Great Lakes system.

For Michiganders, the Great Lakes are directly linked to our identity, our way of life, our history, and our future.

The Great Lakes basin is home to more than 30 million people, and it contains 90 percent of the Nation's fresh surface water supply. Many know that, but they don't always understand the economic impact. That provides the backbone of a $6 trillion regional economy.

The Great Lakes Restoration Initiative has a strong track record of success, specifically in west Michigan, where the work to clean up toxic hotspots in areas like Muskegon is estimated to have increased property values by nearly $12 million and generated $1 million in new recreational spending. This holds true across west Michigan and the entire region, as every dollar invested in the GLRI generates more than $3 in additional long-term economic activity.

The GLRI is critical to our efforts to protect drinking water, prevent the spread of invasive species, and to accelerate the cleanup of areas of concern.

With the threat of Asian carp inundating our waters, high water levels and erosion threatening our shorelines, and the ongoing threat of PFAS contamination contaminating our water, we must be committed to bipartisan solutions to protect this critical resource.

Recently, my Republican colleagues and I had an opportunity to spend some time with the President, and he recommitted his support for the GLRI and

towards the Great Lakes, as well as making sure that Brandon Road and other efforts to keep invasive species out are happening.

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

Mr. MITCHELL. Mr. Speaker, I yield an additional 15 seconds to the gentleman from Michigan.

Mr. HUIZENGA. Mr. Speaker, the GLRI is a bipartisan example of an effective and efficient use of taxpayer dollars that protects, preserves, and strengthens the Great Lakes today and for future generations.

Mrs. NAPOLITANO. Mr. Speaker, I yield 3 minutes to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Speaker, I thank the chairwoman from California for yielding and for all of her hard work on this bill.

I rise in strong support of H.R. 4031, the Great Lakes Restoration Initiative—or the GLRI, as we all call it—Act of 2019, which will reauthorize the GLRI for 5 years and increase authorized funding for the program to $475 million, annually, by fiscal year 2026.

Through the GLRI program, we have been able to clean up and delist environmental areas of concern. We have been able to restore coastal wetlands, as many of my colleagues have talked about, mitigate harmful algae blooms, combat invasive species, and do much more to help protect, restore, and maintain the Great Lakes ecosystems and strengthen our regional economy. And, as people have seen on the floor today, this issue has shared strong bipartisan support at all times.

Mr. Speaker, I thank my colleagues for helping to educate the President on the importance of the GLRI.

The Great Lakes are not only a treasured natural resource, but a way of life that supports communities and jobs throughout the region. They are 21 percent of the world's freshwater supply.

Building on what my colleague from Wisconsin (Ms. MOORE) was talking about, my colleague, Ms. TLAIB, and I were able to kayak on the Rouge River on the 50th anniversary of its having caught on fire. We were surrounded by industry, but we also saw bald eagles and herons, and she got the most beautiful picture of a painted turtle.

Mr. Speaker, as co-chair of the Great Lakes Task Force, I am proud to be an original cosponsor, and I thank my colleagues, Representatives DAVID JOYCE and MARCY KAPTUR, for their great leadership on this issue.

Mr. Speaker, I urge all of my colleagues to support this important bill to ensure our Great Lakes are protected for all future generations.

Mr. MITCHELL. Mr. Speaker, may I inquire of the balance of time on both sides, please.

The SPEAKER pro tempore. The gentleman from Michigan has 9½ minutes remaining. The gentlewoman from California has 6½ minutes remaining.

Mr. MITCHELL. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. WALBERG), another colleague.

Mr. WALBERG. Mr. Speaker, I rise today in strong support of H.R. 4031, the Great Lakes Restoration Initiative Act of 2019, not just because my district has Lake Erie on its borders, but because of the impact of such a great proposal that has had bipartisan support and, now, thankfully, even as recently as just this last week, to talk with the President with my colleagues and know of his support as well.

The Great Lakes are something that we all treasure in Michigan, and they are central to our State's economy and way of life. As stewards of this natural resource, it is incumbent on us to take care of them so that future generations can enjoy their beauty, their bounty, and their economic benefits. That is why the bipartisan support for GLRI is so overwhelming.

For the past decade, the GLRI has been the driving force behind cleaning up and protecting the Great Lakes. Funds from this successful program go towards restoring wetlands, combating harmful algae blooms, stopping invasive species, and much, much more. With additional resources, we can accelerate and expand GLRI's impact even more for the citizens of not only our States, but of this great country.

I am proud to join my colleagues in this bipartisan effort to preserve the Great Lakes and continue it long into the future as beneficial for all who experience the greatness of what it is.

Let's pass this critical legislation.

Mrs. NAPOLITANO. Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, I rise today in strong support of the Great Lakes Restoration Initiative Act's reauthorization.

As has been mentioned before, I think, the Great Lakes represent 21 percent of the world's surface freshwater.

I am glad to see so many of my colleagues from the Great Lakes region here, but, really, all of us and the rest of the world have a stake in this.

The Great Lakes provide drinking water for 45 million Americans.

□ 1430

The lakes support one of the world's largest regional economies through agriculture, industry, fishing, and recreation.

For thousands of plants and animal species and millions of Americans, the Great Lakes are vital for life, and are our national treasure.

I wanted to say, this is really personal for me. The eastern border of my district, running from Chicago to the northern suburbs, is Lake Michigan. I live just a few blocks from the lake myself and have spent every summer of my childhood on the beach in Indiana enjoying the lake.

But we are threatened right now by climate change and pollution. Last year, the Midwest saw record flooding, worsening storms, harmful runoff, and toxic algae blooms that threaten drinking water and infrastructure.

Actually, we saw thousands of Americans who couldn't drink the water because of that algae bloom. And in my hometown of Evanston, beaches are closing or actually disappearing entirely because the levels of the lake are at record highs right now.

Just last month, these record water levels destroyed lakefront paths, and I was getting calls from condominium owners who were worried about their buildings getting—not demolished—but certainly damaged because of the high lake waters.

New estimates from the Army Corps of Engineers state that the lake levels could get even higher next year, and we are watching for that with great distress.

The Great Lakes Restoration Initiative is absolutely essential to restoring the health and unpolluting the lake and protecting the grandeur of our lakes.

This is a bipartisan piece of legislation. People on both sides of the aisle are down here speaking eloquently about the meaning of the Great Lakes to them, and it is really refreshing, I think, for all of us to be able to join hands together asking for the reauthorization of the Great Lakes Restoration Initiative Act.

Mr. MITCHELL. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. GONZALEZ).

Mr. GONZALEZ of Ohio. Mr. Speaker, I rise in support of H.R. 4031, the Great Lakes Restoration Initiative Act of 2019.

First, I want to thank my good friends from Ohio, Mr. JOYCE and Ms. KAPTUR, for their leadership on this legislation. The Great Lakes are an essential natural resource, not only for my district and State, but for the entire country.

One of the world's largest bodies of fresh water, the Great Lakes provide fresh drinking water for over 30 million people. In addition, the Great Lakes serves as an economic engine, generating $8.4 billion in wages, and supporting over 300,000 jobs.

But the Great Lakes are more than a source of revenue. Ask any of my constituents what the Great Lakes mean to them, and they will tell you they are an essential part of what makes northeast Ohio such a great place to live, work, and raise a family.

Over the past decade, both Democrats and Republicans have understood the importance of protecting the Great Lakes. Since 2010, the GLRI has catalyzed critical restoration action that both restores and protects the Great Lakes. In fact, for every dollar spent under the GLRI, an estimated $3.35 in economic activity is produced.

I strongly urge my colleagues to support H.R. 4031 and ensure the preservation of our waterways and ecosystems for future generations.

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

Mr. MITCHELL. Mr. Speaker, I yield 1½ minutes to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Mr. Speaker, it is an honor to be able to speak on this initiative, given what is going on in the other house today where we have so much partisanship. This is the type of bipartisan work we should be doing.

I am honored to be a cosponsor of the Great Lakes Restoration Initiative. My district goes along Lake Michigan. I know it means so much for the communities of Port Washington, Sheboygan, Manitowoc and Two Rivers.

I would just like to clean up a little something here. I know a few years ago in 2013, there was a great deal of concern that the watermark in Lake Michigan was at an all-time low. People talked about climate change and how bad that was. It was good to report now in 2020 in January on the 30-year high on Lake Michigan. So maybe that is the reason for a crisis as well, but it is interesting to see how things kind of ebb and flow on Lake Michigan.

As previously has been said, about a fifth of the fresh water in lakes in the world is in Lake Michigan by itself. Lake Michigan is the fifth biggest lake in the world. We have had problems with invasive species, which is one of the major reasons why I am on this bill.

We want to keep the lakes clean not only for consuming water, but the fisheries, the fishing going on there is important, and recreation on Lake Michigan is important.

A lot of this money goes into the agriculture in places like Wisconsin. We do have to keep the lakes clean, and as we keep our farms clean, it results in less algae blooms and a healthier lake system.

So, in any event, I am honored to be a cosponsor on this. I am pleased that the Speaker has decided to put such a great bipartisan bill on the floor today.

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

Mr. MITCHELL. Mr. Speaker, I yield myself the balance of my time.

Let me close with this: This bill passed committee with strong bipartisan support. As my colleagues have noted, including Mrs. WALORSKI, recreational use of the Great Lakes is an important component of the Great Lakes Restoration Initiative.

As I close, I would like to quote the immortal words of country superstar, Craig Morgan. It is a little unusual, but I think it is appropriate today.

He said in a song:

I'm meetin' my buddies out on the lake
We're headed out to a special place we love
That just a few folks know
There's no signin' up, no monthly dues
Take your Johnson, your Mercury or your Evinrude and fire it up
Meet us out at party cove
Come on in; the water's fine
Just idle on over, and toss us a line

Support reauthorization of the Great Lakes Restoration Initiative.

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

Mrs. NAPOLITANO. Mr. Speaker, I am glad to hear that this has such great bipartisan support. It truly is an amazing bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 4031.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. MITCHELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

REAUTHORIZING LAKE PONTCHARTRAIN BASIN RESTORATION PROGRAM

Mrs. NAPOLITANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4275) to amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LAKE PONTCHARTRAIN BASIN RESTORATION PROGRAM REAUTHORIZATION.

(a) REVIEW OF COMPREHENSIVE MANAGEMENT PLAN.—Section 121 of the Federal Water Pollution Control Act (33 U.S.C. 1273) is amended—

(1) in subsection (c)—

(A) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (6), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(7) ensure that the comprehensive conservation and management plan approved for the Basin under section 320 is reviewed and revised in accordance with section 320 not less often than once every five years, beginning on the date of enactment of this paragraph.''; and

(2) in subsection (d), by striking ''recommended by a management conference convened for the Basin under section 320'' and inserting ''identified in the comprehensive conservation and management plan approved for the Basin under section 320''.

(b) DEFINITIONS.—Section 121(e)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1273(e)(1)) is amended by striking '', a 5,000 square mile''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 121(f) of the Federal Water Pollution Control Act (33 U.S.C. 1273(f)) is amended—

(1) in paragraph (1), by striking ''2001 through 2012 and the amount appropriated for fiscal year 2009 for each of fiscal years 2013 through 2017'' and inserting ''2021 through 2025''; and

(2) by adding at the end the following:

''(3) ADMINISTRATIVE EXPENSES.—The Administrator may use for administrative expenses not more than 5 percent of the amounts appropriated to carry out this section.''.

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

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. NAPOLITANO. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4275, as amended.

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

There was no objection.

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

Mr. Speaker, I include in the RECORD a letter in support of H.R. 4275 to reauthorize the Lake Pontchartrain Basin Restoration Program from the Lake Pontchartrain Basin Foundation.

LAKE PONTCHARTRAIN BASIN FOUNDATION,
February 4, 2020.

Re H.R. 4275: Support to amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.
Hon. KEVIN MCCARTHY,
Minority Leader, House of Representatives, Washington, DC.

DEAR SPEAKER PELOSI & MINORITY LEADER MCCARTHY: I would like to express our support for H.R. 4275—the reauthorization of the Pontchartrain Basin Restoration Program within the Environmental Protection Agency. This program provides resources vital to the restoration of the ecological health of the Basin, as well as public education projects.

Although Lake Pontchartrain and its surrounding area continue to face environmental challenges, the Lake and its resources have made a tremendous comeback. Much of this success is due to interested and concerned citizens who want a clean, healthy Lake and Basin for this and future generations, all of which would not be possible without your support of this PRP funding.

Sincerely,

KRISTI L. TRAIL, P.E.,
Executive Director.

Mrs. NAPOLITANO. Mr. Speaker, H.R. 4275 will reauthorize EPA's Lake Pontchartrain Basin Restoration Program for the next 5 years.

Introduced by the gentlemen from Louisiana, Mr. GRAVES and Mr. RICHMOND, it reauthorizes the program for the next 5 years with continued funding of $20 million annually over 5 years. It also caps EPA's administrative expenses at 5 percent.

At our June subcommittee hearing, we received testimony on current threats to the Lake Pontchartrain region and its watershed. Covering a 10,000-square-mile area, the basin faces

impacts from logging, urban, and agriculture runoff, sewage overflows and nonpoint source pollution.

This is an example of human development having an extreme impact on the entire watershed, capable of causing entire dead zones as we are now seeing. With impaired wetlands prevented from acting as natural filters for these pollutants, the entire lake is at risk.

This program represents a collaborative effort for Federal, State, and local entities to restore the ecological health of the basin.

Mr. Speaker, I urge my colleagues to support H.R. 4275, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 4275. H.R. 4275 represents good governance to reauthorize the Lake Pontchartrain Basin Restoration Program. The Lake Pontchartrain Basin watershed is home to approximately 2.2 million people and covers 5,000 square miles.

In June of last year when the Subcommittee on Water Resources and Environment held a hearing on many of these regional watershed programs, we invited Ms. Kristi Trail from the Lake Pontchartrain Basin Foundation to testify on the need and importance of reauthorizing this program.

During that hearing, we heard that Lake Pontchartrain and its surrounding watershed play an integral part of the wetland ecosystem of the Gulf Coast, contributing over $35 million to the local economy.

As a result of the Lake Pontchartrain Basin Foundation's work through this program, the lake is making a tremendous comeback by constructing multiple reefs for fish habitats, improving previously impaired water bodies, and growing their community outreach programs.

I would like to thank Mr. GARRET GRAVES, the sponsor of this bill, for putting this forward and for his support.

I also would like to recognize the fact that we limit the EPA's administration to 5 percent. So the money goes to restore Lake Pontchartrain.

For these reasons and numerous others, I urge support of this program and this legislation, and I reserve the balance of my time.

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

Mr. MITCHELL. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. GRAVES), the sponsor of the bill.

Mr. GRAVES of Louisiana. Mr. Speaker, I promise to conserve time and conserve the lake.

Mr. Speaker, Lake Pontchartrain is perhaps not a very well-known lake. It is actually the second largest saltwater lake in the United States, but it wasn't always this way.

Lake Pontchartrain, as a result of coastal land loss in Louisiana, has had this intrusion of saltwater that has fundamentally changed the ecosystem of that lake and the communities.

This is a lake that serves as a watershed for 16 parishes in Louisiana, 4 counties in Mississippi, and most importantly, this lake takes the brunt of the surge from 2 Canadian provinces and 31 States.

Mr. Speaker, what happens is each time we have these high-water years on the Mississippi River system which drains 31 States and 2 Canadian provinces, there is an emergency relief valve that sends water through the Bonnet Carre Spillway into Lake Pontchartrain.

This isn't water that is coming from Louisiana. In fact, less than 1 percent of the water is even coming from the State of Mississippi. It is water coming from all of these States, from Montana, to New York, to Canada, and all of these States in this large watershed funnel in-between.

And so on average, the Bonnet Carre Spillway had been operated once every decade; once every 10 years. Yet, in recent years, we have had to open it four times, including last year. Last year, for the first time ever, it was opened in January, and for the first time ever, it was actually operated twice in 1 year.

And so this is in the State of Louisiana. This is this lake, this basin, this watershed that has been taking it on the chin for the rest of the country.

□ 1445

The reason this is important, Mr. Speaker, is because this lake is an incredibly productive ecosystem with recreational and commercial fishing. You see lots of folks out there in sailboats and other boats out there enjoying the lake.

What has been happening as a result of all the Nation's water's drainage coming into here is that the health of the lake has been compromised and challenged, which therefore affects our fisheries, both recreational and commercial, and the millions of pounds of crabs that are harvested out of the lake.

This lake bounds New Orleans and Jefferson Parish. It bounds the north shore and the river parishes, such as Saint John Parish and Saint Charles Parish over on the west side.

This is an important part of Louisiana. Because of the coastal land loss that we have experienced and the change in this ecosystem, we must make investments to maintain this as we help to manage this rapid and unfortunate transition from a freshwater lake into a brackish and saltwater lake that we now have.

Mr. Speaker, I do want to thank my good friend from California, the chair of the subcommittee, Congresswoman NAPOLITANO, and her staff, Ryan. I want to thank Congressman WESTERMAN, the ranking member of the subcommittee; Ian Bennitt as well as Maggie Ayrea on our staff for all the work they put into this; and, of course, Chairman DEFAZIO and Ranking Member SAM GRAVES for all their work in ensuring that we get this bill right and that we have the right caps on here to ensure that the money goes to actually investing in the lake, as Congressman MITCHELL mentioned, as opposed to going toward bureaucracy.

Mr. Speaker, I urge adoption of this bipartisan legislation that we have introduced with my friend, Congressman CEDRIC RICHMOND of New Orleans.

Mrs. NAPOLITANO. I am prepared to close, Mr. Speaker, and I reserve the balance of my time.

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

Mr. Speaker, I want to thank my colleague, Mr. GRAVES of Louisiana, and all sponsors in support of this bill. As I indicated earlier, it has bipartisan support of the committee.

Mr. Speaker, I urge its adoption, and I yield back the balance of my time.

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

Mr. Speaker, I want to thank both sides' staff. They have been doing a marvelous job. Of course, I thank the chairmen and the ranking members of both committees for all the support they have gotten on all these important bills on water.

Water is the economy, and we realize that we have to clean it up and help the communities work with the States and other entities. We will get it done.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 4275, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REPRESENTATIVE PAYEE FRAUD PREVENTION ACT OF 2019

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5214) to amend title 5, United States Code, to prevent fraud by representative payees.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5214

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Representative Payee Fraud Prevention Act of 2019''.

SEC. 2. REPRESENTATIVE PAYEE FRAUD.

(a) DEFINITIONS.—

(1) CSRS.—Section 8331 of title 5, United States Code, is amended—

(A) in paragraph (31), by striking ''and'' at the end;

(B) in paragraph (32), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(33) 'representative payee' means a person (including an organization) designated under section 8345(e)(1) to receive payments on behalf of a minor or an individual mentally incompetent or under other legal disability.''.

(2) FERS.—Section 8401 of title 5, United States Code, is amended—

(A) in paragraph (37), by striking ''and'' at the end;

(B) in paragraph (38), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(39) 'representative payee' means a person (including an organization) designated under section 8466(c)(1) to receive payments on behalf of a minor or an individual mentally incompetent or under other legal disability.''.

(b) EMBEZZLEMENT OR CONVERSION.—

(1) CSRS.—Subchapter III of chapter 83 of title 5, United States Code, is amended by inserting after section 8345 the following:

''§ 8345a. Embezzlement or conversion of payments

''(a) EMBEZZLING AND CONVERSION GENERALLY.—

''(1) IN GENERAL.—It shall be unlawful for a representative payee to embezzle or in any manner convert all or any part of the amounts received from payments received as a representative payee to a use other than for the use and benefit of the minor or individual on whose behalf such payments were received.

''(2) REVOCATION.—If the Office determines that a representative payee has embezzled or converted payments as described in paragraph (1), the Office shall promptly—

''(A) revoke the certification for payment of benefits to the representative payee; and

''(B) certify payment—

''(i) to another representative payee; or

''(ii) if the interest of the individual under this title would be served thereby, to the individual.

''(b) PENALTY.—Any person who violates subsection (a)(1) shall be fined under title 18, imprisoned for not more than 5 years, or both.''.

(2) FERS.—Subchapter VI of chapter 84 of title 5, United States Code, is amended by inserting after section 8466 the following:

''§ 8466a. Embezzlement or conversion of payments

''(a) EMBEZZLING AND CONVERSION GENERALLY.—

''(1) IN GENERAL.—It shall be unlawful for a representative payee to embezzle or in any manner convert all or any part of the amounts received from payments received as a representative payee to a use other than for the use and benefit of the minor or individual on whose behalf such payments were received.

''(2) REVOCATION.—If the Office determines that a representative payee has embezzled or converted payments as described in paragraph (1), the Office shall promptly—

''(A) revoke the certification for payment of benefits to the representative payee; and

''(B) certify payment—

''(i) to another representative payee; or

''(ii) if the interest of the individual under this title would be served thereby, to the individual.

''(b) PENALTY.—Any person who violates subsection (a)(1) shall be fined under title 18, imprisoned for not more than 5 years, or both.''.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) The table of sections for chapter 83 of title 5, United States Code, is amended by inserting after the item relating to section 8345 the following:

''8345a. Embezzlement or conversion of payments.''.

(B) The table of sections for chapter 84 of title 5, United States Code, is amended by inserting after the item relating to section 8466 the following:

''8466a. Embezzlement or conversion of payments.''.

(c) DEFERRAL OF PAYMENT PENDING APPOINTMENT OF REPRESENTATIVE PAYEE.—

(1) CSRS.—Section 8345(e) of title 5, United States Code, is amended—

(A) by inserting ''(1)'' after ''(e)'';

(B) in the first sentence, by inserting ''(including an organization)'' after ''person'';

(C) in the second sentence—

(i) by inserting ''(including an organization)'' after ''any person''; and

(ii) by inserting ''and may appropriately receive such payments on behalf of the claimant'' after ''claimant'' the second place it appears; and

(D) by adding at the end the following:

''(2) If the Office determines that direct payment of a benefit to an individual mentally incompetent or under other legal disability would cause substantial harm to the individual, the Office may defer or suspend direct payment of the benefit until such time as the appointment of a representative payee is made. The Office shall resume payment as soon as practicable, including all amounts due.''.

(2) FERS.—Section 8466(c) of title 5, United States Code, is amended—

(A) by inserting ''(1)'' after ''(c)'';

(B) in the first sentence, by inserting ''(including an organization)'' after ''person'';

(C) in the second sentence—

(i) by inserting ''(including an organization)'' after ''any person''; and

(ii) by inserting ''and may appropriately receive such payments on behalf of the claimant'' after ''claimant'' the second place it appears; and

(D) by adding at the end the following:

''(2) If the Office determines that direct payment of a benefit to an individual mentally incompetent or under other legal disability would cause substantial harm to the individual, the Office may defer or suspend direct payment of the benefit until such time as the appointment of a representative payee is made. The Office shall resume payment as soon as practicable, including all amounts due.''.

(d) LIMITATIONS ON APPOINTMENTS OF REPRESENTATIVE PAYEES.—

(1) CSRS.—Section 8345 of title 5, United States Code, is amended by inserting after subsection (e) the following:

''(f) The Office may not authorize a person to receive payments on behalf of a minor or individual of legal disability under subsection (e) if that person has been convicted of a violation of—

''(1) section 8345a or 8466a;

''(2) section 208 or 1632 of the Social Security Act (42 U.S.C. 408, 1383a); or

''(3) section 6101 of title 38.''.

(2) FERS.—Section 8466 of title 5, United States Code, is amended by adding at the end the following:

''(d) The Office may not authorize a person to receive payments on behalf of a minor or individual of legal disability under subsection (c) if that person has been convicted of a violation of—

''(1) section 8345a or 8466a;

''(2) section 208 or 1632 of the Social Security Act (42 U.S.C. 408, 1383a); or

''(3) section 6101 of title 38.''.

SEC. 3. IMPLEMENTATION.

(a) AUTHORIZATION OF PAYMENTS.—Section 8348(a)(1)(B) of title 5, United States Code, is amended by inserting ''in administering fraud prevention under sections 8345, 8345a, 8466, and 8466a of this title,'' after ''8465(b) of this title,''.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Office of Personnel Management—

(1) shall promulgate regulations to carry out the amendments made by section 2; and

(2) may promulgate additional regulations relating to the administration of the representative payee program.

SEC. 4. EFFECTIVE DATE.

The amendments made by section 2—

(1) shall take effect on the date of the enactment of this Act; and

(2) apply on and after the effective date of the regulations promulgated under section 3(b)(1).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure before us.

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

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

The Representative Payee Fraud Prevention Act is a commonsense bipartisan bill that would protect recipients of Federal pensions from unscrupulous representatives who use the money for their own benefit instead of the retirees'. Currently, representative payees can receive pension benefits on behalf of a recipient who is a minor, is designated mentally incompetent, or has another disability.

Embezzlement or conversion of Social Security and veterans benefits by a representative payee is a Federal felony. However, there is no Federal penalty in current law for representative payees who embezzle or convert Federal retirement benefits to their own use.

The Representative Payee Fraud Prevention Act would close this loophole and apply the same penalties to those representative payees who misuse Federal pension benefits. We must ensure that those who have spent their careers in public service receive the benefits they have earned.

I want to thank my friend and colleague, Representative TLAIB, for her hard work, along with Representative MEADOWS. It is a bipartisan effort on this important issue.

Mr. Speaker, I urge my colleagues to support this commonsense measure, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 5214, the Representative Payee Fraud Prevention Act.

Federal employees often dedicate decades of their lives to public service.

When they retire, those Federal employees receive their hard-earned retirement benefits. Currently, the Federal Government issues payments to more than 2 million retirees and more than half a million survivor annuitants each year. Annuitants receive an average of $2,500 a month.

If a Federal annuitant becomes incapacitated in some way, a representative payee may be appointed. A representative payee is a person who receives and manages benefits on behalf of another person who is not fully capable of managing their own benefits. Certainly, things like mental illness, disability, or long-term illness are just a few examples of situations where a payee may step in and provide that counsel.

Obviously, as we look at this, a representative payee has a duty to use financial benefits to assist with the care and well-being of the intended beneficiary. Surprisingly, though, it is not a crime for a representative payee to commit financial fraud against an incapacitated Federal retiree. However, under the Social Security Act, it is a crime to do so.

I have always assumed that this type of financial abuse of retired Federal employees was also a crime. But right now, under Federal law, it is not.

As the chairwoman from New York mentioned, this is a commonsense piece of legislation. I would like to thank my colleague, Ms. TLAIB, for her leadership on this.

This bill will make it a crime to embezzle Federal retirement benefits as a representative payee. If convicted, the representative payee could be subject to criminal fines and up to 5 years in prison. Obviously, this is a protection for our Federal workforce.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Michigan (Ms. TLAIB).

Ms. TLAIB. Mr. Speaker, I would like to begin by thanking Congressman MEADOWS for partnering with me on the bill, as well as our Chairwoman MALONEY and her incredibly strong and talented staff for their leadership and for the continued support of the work that we have to do on behalf of our residents at home.

I also want to thank our forever chairman, the late Chairman Cummings, who is looking down on us from above, for his mentorship and for working with us on this bill that would help some of our most vulnerable retirees.

We all know that no one deserves to be scammed out of their money, but that is especially true for our retirees. This bill, the Representative Payee Fraud Prevention Act, is a bipartisan effort to protect those retirees who are recipients of Federal benefits.

Retirees who have been declared mentally incompetent or have another qualifying disability can have their monthly benefits paid on their behalf through a representative, frequently referred to as the representative payee. In recent years, what we have seen in our country is there has been a sharp increase in the number of representative payees who have taken advantage of their position and committed fraud, hurting many of our residents.

We need to hold them accountable, and this bill does that. The bill would expand protection to over 2 million workers all across the United States.

In my home State of Michigan, there are nearly 40,000 Federal retirees who are currently unprotected from this crime, impacting their quality of life. They are supposed to be living in peace during their retirement years. They are becoming targets instead, and we need to push back together, in a bipartisan way.

I hear firsthand from our senior residents about their concerns, from feeling neglected in the assisted living facilities to unaffordable drug prices, and I want to ensure that our older Americans have one less worry about financial predators who will misuse their hard-earned money.

For far too long, this lack of Federal protection has left some of our, again, most vulnerable civil servants without legal recourse when they are taken advantage of and their retirement funds are misused. We must ensure that the most impacted communities are protected on every front.

That is what this legislation will do. It will prevent those who have committed representative payee fraud from serving as representative payees in the future and hold them accountable to their victims.

Let's really ensure that our public servants and our civil servants who have dedicated their lives to serving our country are protected against this fraud.

Again, I want to thank my beloved Chairman Cummings for coming to myself and my colleague, Congressman MEADOWS. When he did, we couldn't say no to him, so we worked together in trying to resolve this issue for so many folks, again, 2 million Federal employees across the country who need this protection.

Mr. Speaker, I really do urge my colleagues to support this bill.

Mr. MEADOWS. Mr. Speaker, I certainly would rise in support of this legislation. I thank the gentlewoman from Michigan for her kind words. Ms. TLAIB has been leading on this.

The gentlewoman is right. Chairman Cummings had an infectious way of bringing people together, and I rise in support of this legislation as a tribute to his leadership and to her leadership.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of H.R. 5214. I thank Elijah Cummings for his hard work on this bill, too, and my colleagues, Mr. MEADOWS and Ms. TLAIB, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, H.R. 5214.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

TAXPAYERS RIGHT-TO-KNOW ACT

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3830) to provide taxpayers with an improved understanding of Government programs through the disclosure of cost, performance, and areas of duplication among them, leverage existing data to achieve a functional Federal program inventory, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3830

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Taxpayers Right-To-Know Act''.

SEC. 2. INVENTORY OF GOVERNMENT PROGRAMS.

Section 1122(a) of title 31, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(2) by inserting before paragraph (2), as so redesignated, the following:

''(1) DEFINITIONS.—For purposes of this subsection—

''(A) the term 'Federal financial assistance' has the meaning given that term under section 7501;

''(B) the term 'open Government data asset' has the meaning given that term under section 3502 of title 44;

''(C) the term 'program' means a single program activity or an organized set of aggregated, disaggregated, or consolidated program activities by 1 or more agencies directed toward a common purpose or goal; and

''(D) the term 'program activity' has the meaning given that term in section 1115(h).'';

(3) in paragraph (2), as so redesignated—

(A) by striking ''IN GENERAL.—Not later than October 1, 2012, the Office of Management and Budget shall'' and inserting ''WEBSITE AND PROGRAM INVENTORY.—The Director of the Office of Management and Budget shall'';

(B) in subparagraph (A), by inserting ''that includes the information required under subsections (b) and (c)'' after ''a single website''; and

(C) by striking subparagraphs (B) and (C) and inserting the following:

''(B) include on the website described in subparagraph (A), or another appropriate Federal Government website where related information is made available, as determined by the Director—

''(i) a program inventory that shall identify each program; and

''(ii) for each program identified in the program inventory, the information required under paragraph (3);

''(C) make the information in the program inventory required under subparagraph (B)

available as an open Government data asset; and

''(D) at a minimum—

''(i) update the information required to be included on the single website under subparagraph (A) on a quarterly basis; and

''(ii) update the program inventory required under subparagraph (B) on an annual basis.'';

(4) in paragraph (3), as so redesignated—

(A) in the matter preceding subparagraph (A), by striking ''described under paragraph (1) shall include'' and inserting ''identified in the program inventory required under paragraph (2)(B) shall include'';

(B) in subparagraph (B), by striking ''and'' at the end;

(C) in subparagraph (C), by striking the period at the end and inserting ''and,''; and

(D) by adding at the end the following:

''(D) for each program activity that is part of a program—

''(i) a description of the purposes of the program activity and the contribution of the program activity to the mission and goals of the agency;

''(ii) a consolidated view for the current fiscal year and each of the 2 fiscal years before the current fiscal year of—

''(I) the amount appropriated;

''(II) the amount obligated; and

''(III) the amount outlayed;

''(iii) to the extent practicable and permitted by law, links to any related evaluation, assessment, or program performance review by the agency, an inspector general, or the Government Accountability Office (including program performance reports required under section 1116), and other related evidence assembled in response to implementation of the Foundations for Evidence-Based Policymaking Act of 2018 (Public Law 115–435; 132 Stat. 5529);

''(iv) an identification of the statutes that authorize the program activity or the authority under which the program activity was created or operates;

''(v) an identification of any major regulations specific to the program activity;

''(vi) any other information that the Director of the Office of Management and Budget determines relevant relating to program activity data in priority areas most relevant to Congress or the public to increase transparency and accountability; and

''(vii) for each assistance listing under which Federal financial assistance is provided, for the current fiscal year and each of the 2 fiscal years before the current fiscal year and consistent with existing law relating to the protection of personally identifiable information—

''(I) a linkage to the relevant program activities that fund Federal financial assistance by assistance listing;

''(II) information on the population intended to be served by the assistance listing based on the language of the solicitation, as required under section 6102;

''(III) to the extent practicable and based on data reported to the agency providing the Federal financial assistance, the results of the Federal financial assistance awards provided by the assistance listing;

''(IV) to the extent practicable, the percentage of the amount appropriated for the assistance listing that is used for management and administration;

''(V) the identification of each award of Federal financial assistance and, to the extent practicable, the name of each direct or indirect recipient of the award; and

''(VI) any information relating to the award of Federal financial assistance that is required to be included on the website established under section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).''; and

(5) by adding at the end the following:

''(4) ARCHIVING.—The Director of the Office of Management and Budget shall—

''(A) archive and preserve the information included in the program inventory required under paragraph (2)(B) after the end of the period during which such information is made available under paragraph (3); and

''(B) make information archived in accordance with subparagraph (A) publicly available as an open Government data asset.''.

SEC. 3. GUIDANCE, IMPLEMENTATION, REPORTING, AND REVIEW.

(a) DEFINITIONS.—In this section—

(1) the term ''appropriate congressional committees'' means the Committee on Oversight and Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the term ''Director'' means the Director of the Office of Management and Budget;

(3) the term ''program'' has the meaning given that term in section 1122(a)(1) of title 31, United States Code, as amended by section 2 of this Act;

(4) the term ''program activity'' has the meaning given that term in section 1115(h) of title 31, United States Code; and

(5) the term ''Secretary'' means the Secretary of the Treasury.

(b) PLAN FOR IMPLEMENTATION AND RECONCILING PROGRAM DEFINITIONS.—Not later than 180 days after the date of enactment of this Act, the Director, in consultation with the Secretary, shall submit to the appropriate congressional committees a report that—

(1) includes a plan that—

(A) discusses how making available on a website the information required under subsection (a) of section 1122 of title 31, United States Code, as amended by section 2, will leverage existing data sources while avoiding duplicative or overlapping information in presenting information relating to program activities and programs;

(B) indicates how any gaps in data will be assessed and addressed;

(C) indicates how the Director will display such data; and

(D) discusses how the Director will expand the information collected with respect to program activities to incorporate the information required under the amendments made by section 2;

(2) sets forth details regarding a pilot program, developed in accordance with best practices for effective pilot programs—

(A) to develop and implement a functional program inventory that could be limited in scope; and

(B) under which the information required under the amendments made by section 2 with respect to program activities shall be made available on the website required under section 1122(a) of title 31, United States Code;

(3) establishes an implementation timeline for—

(A) gathering and building program activity information;

(B) developing and implementing the pilot program;

(C) seeking and responding to stakeholder comments;

(D) developing and presenting findings from the pilot program to the appropriate congressional committees;

(E) notifying the appropriate congressional committees regarding how program activities will be aggregated, disaggregated, or consolidated as part of identifying programs; and

(F) implementing a Governmentwide program inventory through an iterative approach; and

(4) includes recommendations, if any, to reconcile the conflicting definitions of the term ''program'' in relevant Federal statutes, as it relates to the purpose of this Act.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Director shall make available online all information required under the amendments made by section 2 with respect to all programs.

(2) EXTENSIONS.—The Director may, based on an analysis of the costs of implementation, and after submitting to the appropriate congressional committees a notification of the action by the Director, extend the deadline for implementation under paragraph (1) by not more than a total of 1 year.

(d) REPORTING.—Not later than 2 years after the date on which the Director makes available online all information required under the amendments made by section 2 with respect to all programs, the Comptroller General of the United States shall submit to the appropriate congressional committees a report regarding the implementation of this Act and the amendments made by this Act, which shall—

(1) review how the Director and agencies determined how to aggregate, disaggregate, or consolidate program activities to provide the most useful information for an inventory of Government programs;

(2) evaluate the extent to which the program inventory required under section 1122 of title 31, United States Code, as amended by this Act, provides useful information for transparency, decision-making, and oversight;

(3) evaluate the extent to which the program inventory provides a coherent picture of the scope of Federal investments in particular areas; and

(4) include the recommendations of the Comptroller General, if any, for improving implementation of this Act and the amendments made by this Act.

SEC. 4. TECHNICAL AND CONFORMING AMENDMENTS.

(a) IN GENERAL.—Section 1122 of title 31, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by inserting ''described in subsection (a)(2)(A)'' after ''the website'' each place it appears;

(2) in subsection (c), in the matter preceding paragraph (1), by inserting ''described in subsection (a)(2)(A)'' after ''the website''; and

(3) in subsection (d)—

(A) in the subsection heading, by striking ''ON WEBSITE''; and

(B) in the first sentence, by striking ''on the website''.

(b) OTHER AMENDMENTS.—

(1) Section 1115(a) of title 31, United States Code, is amended in the matter preceding paragraph (1) by striking ''the website provided under'' and inserting ''a website described in''.

(2) Section 10 of the GPRA Modernization Act of 2010 (31 U.S.C. 1115 note) is amended—

(A) in subsection (a)(3), by striking ''the website described under'' and inserting ''a website described in''; and

(B) in subsection (b)—

(i) in paragraph (1), by striking ''the website described under'' and inserting ''a website described in''; and

(ii) in paragraph (3), by striking ''the website as required under'' and inserting ''a website described in''.

(3) Section 1120(a)(5) of title 31, United States Code, is amended by striking ''the website described under'' and inserting ''a website described in''.

(4) Section 1126(b)(2)(E) of title 31, United States Code, is amended by striking ''the

website of the Office of Management and Budget pursuant to'' and inserting ''a website described in''.

(5) Section 3512(a)(1) of title 31, United States Code, is amended by striking ''the website described under'' and inserting ''a website described in''.

SEC. 5. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the measure before us.

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

There was no objection.

□ 1500

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support this bill and would like to thank Congressmen WALBERG and COOPER for their hard work on it.

The Taxpayers Right-to-Know Act is a bipartisan and commonsense solution that would help identify areas of inefficiency in the Federal Government. The bill would create an inventory of Federal programs that would be published on a government website and updated regularly. The information in the inventory would also be archived.

Previous attempts at getting information from agencies on Federal programs have yielded incomplete and varied results, since agencies often have different ways of defining Federal programs.

This bill aims to provide streamlined and uniformed insight into the activities of programs governmentwide. The Taxpayers Right-to-Know Act would require agencies to report on the spending, authorization, and purpose of a Federal program's activities. Information would also be required on any awards of financial assistance. Access to enhanced information would result in greater transparency into duplicative or inefficient programs.

This bill would also provide a means to test a way in which this comprehensive inventory of Federal programs would be achieved across the Federal Government. It would require the Office of Management and Budget to report on how existing agency data would be used to create the program inventory or explain how the data will be presented and the results of a pilot program.

Mr. Speaker, I support this good government measure, and I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I rise in support of H.R. 3830, the Taxpayers Right-to-Know Act.

The Federal Government is a complex and diverse organization. As Members of Congress, we are responsible for ensuring the Federal Government is efficient and effective. However, we lack the tools to understand how the taxpayer dollars are spent. Oftentimes, we lack a detailed list of the programs that are there.

This bipartisan bill will increase transparency and make it easier to see how the Federal Government uses its tax dollars.

May I edit that last statement just a bit? It is not the government's tax dollars. It is the hardworking American people's tax dollars. So this is a critically important additional tool.

In fiscal year 2019, the Federal Government spent nearly $4.4 trillion. Taxpayers should know where their hard-earned money is going. To follow the money, we need to know what the government is doing, so a comprehensive inventory of Federal programs will help us do that.

In 2010, Congress required the executive branch to develop a comprehensive Federal program inventory. The program inventory Congress envisioned would have given the public insight into the government's organizational structure and provided a comparable list of all Federal programs.

Comparability is key. We need to see how these programs match up. To give you one example, there were 678 duplicative programs in the Federal Government that dealt just with sustainable energy. You can argue the merits of priority or the lack thereof, but, certainly, over 600 programs to deal with one particular issue across the government is something that cannot be efficient.

However, the Government Accountability Office found that the program inventory built for the previous administration in 2013 failed to meet the intent of the law or needs of Congress. Implementing guidance allowed far too much flexibility for agencies to define programs. Each agency used its own definition, which prevented programs to be compared to one another. So the Taxpayers Right-to-Know Act updates the law to require a more consistent definition of Federal programs across all agencies.

Mr. Speaker, I think this is a good bill that goes with the intent of Congress as laid out, and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, if the gentleman from North Carolina has no further speakers, I am prepared to close.

Mr. MEADOWS. Mr. Speaker, I am sure we have one other speaker who is running in the halls right now, but I may let him speak upon a different bill.

Let me just mention Mr. WALBERG's leadership on this, a real shout-out to him and his leadership on trying to make sure congressional intent was indeed addressed. I thank him for his leadership.

Mr. Speaker, I urge support for this bill, and I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself the balance of my time, and I urge passage of H.R. 3830, as amended.

Mr. MEADOWS. Will the gentlewoman yield?

Mrs. CAROLYN B. MALONEY of New York. Yes, I yield to the gentleman.

Mr. MEADOWS. I appreciate the gentlewoman's flexibility, but if you would let me reclaim my time and yield to the gentleman, who made it in by the hair on his chinny chin chin.

The SPEAKER pro tempore (Mr. HIMES). Without objection, the gentleman from North Carolina reclaims his time and yields to the gentleman from Michigan.

There was no objection.

Mr. WALBERG. Mr. Speaker, I thank the gentleman and gentlewoman.

Mr. Speaker, I did shave this morning, so there wasn't much hair on the chinny chin chin.

Mr. Speaker, American taxpayers deserve to know where, when, why, and how government is spending their hard-earned dollars. This is why I partnered with my colleague from Tennessee, Representative JIM COOPER, to introduce H.R. 3830, the Taxpayers Right-to-Know Act. This bipartisan legislation requires Federal agencies to supply an online accounting of their program activities in an easily searchable inventory so that Americans can keep tabs on where and how their tax dollars are being spent.

The inventory will account for how funds are allocated, the total amount appropriated, obligated, and outlaid for services and the intended population served by each program. It will also provide performance reviews for each program, including any and all inspector general or Government Accountability Office reports. All of the information provided for the inventory will be updated regularly to provide for a more real-time accounting of Federal program dollars.

Mr. Speaker, I ask for support from my colleagues for this legislation. I think its time has come.

Mr. MEADOWS. Mr. Speaker, I thank the gentlewoman's courtesy. I urge support for this bill, and I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge passage of H.R. 3830, as amended, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, H.R. 3830, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

USPS FAIRNESS ACT

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2382) to amend title 5, United States Code, to repeal the requirement that the United States Postal Service prepay future retirement benefits, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2382

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''USPS Fairness Act''.

SEC. 2. REPEAL OF REQUIRED PREPAYMENT OF FUTURE POSTAL SERVICE RETIREMENT BENEFITS.

Subsection (d) of section 8909a of title 5, United States Code, is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on the measure before us.

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

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill before us, the U.S. Postal Service Fairness Act, which I am a very proud cosponsor, would make a small but very important change to help address the dire financial condition of the Postal Service.

Common law requires the Postal Service to prefund the healthcare costs of its future retirees decades into the future. We are aware of no other entity, public or private, that faces this type of onerous financial burden. This mandate has cost the Postal Service billions of dollars since it was first imposed 14 years ago. The Postal Service has not made a payment into this fund since 2012.

This bill won't solve all the Postal Service's financial problems. Eliminating the mandate will take some paper liabilities off the books of the Postal Service, but it will do nothing to improve its cash position.

Without major structural reforms, the Postal Service will run out of cash in about 4 years. At that point, it will not be able to pay its own workers, and mail delivery would simply cease.

The Postal Service has taken significant steps to control its costs, including shrinking its workforce by close to 300,000 employees over the past 20 years. Yet, it has incurred net annual losses for 13 straight years.

The Postal Service currently funds universal mail service to nearly 159 million delivery points solely through the sale of postage. It is required to expand its network to deliver mail to approximately 1 million new addresses every year, even as the volume of mail continues to decline by a projected 45 billion mail pieces over the next decade.

So while I support this bill, more must be done to stabilize the finances of this important American institution on which so much of our population relies.

The Committee on Oversight and Reform, and Congressman CONNOLLY in particular, is working on comprehensive legislation to do just that. We will continue to work on comprehensive legislation after this bill passes.

Finally, I thank my good friend, Mr. DEFAZIO, for his tireless, passionate advocacy for this bill. I also thank Mr. REED and Mr. FITZPATRICK, on the other side of the aisle, as well as Ms. TORRES SMALL, for all of their hard work.

Mr. Speaker, I urge my colleagues to support this commonsense measure, and I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I yield myself such time as I may consume, and rise in opposition to the bill. No one has invested more time than perhaps Mr. CONNOLLY or myself on postal reform. But I think it was Winston Churchill who said that no matter how beautiful the strategy, we must occasionally look at the results. And the results of this bill will do nothing to stop the post office from hemorrhaging money.

As we look at this prefunding—and I would agree with the gentlewoman—part of our solution, part of the bipartisan solution in the previous Congress, was to look at this prefunding issue and to try to address it. But to do it as a standalone bill, Mr. Speaker, is certainly not what the doctor ordered. Because even with this, the Postal Service continues to lose money each and every day.

I would say that if this was the bomb that solved their problem, it would have already been solved because they haven't been making the payments.

What the American people need to understand is, they are wanting relief from a payment that they are not making, and it is going to make zero difference in terms of the viability of the Postal Service.

Now, we can all agree that there need to be major reforms, but this particular bill, and the way that it is being put forth, would actually hurt the potential progress we have in addressing real reforms. With that, I sadly rise in opposition to this bill, and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO), the author of the legislation.

Mr. DEFAZIO. Mr. Speaker, I thank the gentlewoman.

Mr. Speaker, in a Christmas Eve bill with no legislative consideration, an otherwise noncontroversial bill, a provision was stuck in to say that the Postal Service should prefund 75 years of health benefits for retirees.

Now, think about that. That means people who have not yet been born, who have not yet gone to work for the Postal Service for a career and then might retire, we are paying for their healthcare now. Name one other entity in the United States of America, corporate or government, that does anything like this. It is nuts. And it is a piggybank.

The money isn't being put into a trust fund to pay for their health insurance. It is going into the maw of the Treasury. Who knows where it goes. It maybe makes the debt look a little smaller. That was why President Bush pushed for it. But it is accounting for the majority of the losses at the Postal Service.

□ 1515

So, yes, this will help relieve pressure on the Postal Service and on rates. And I think there are a lot of Americans who would like not to see the postal rates keep going up.

Now, there are 300 bipartisan cosponsors. There aren't too many things around here these days like that because I think many people realize this doesn't make much sense.

And the Postal Service is a critical service. It is not a government-run business to make a profit. It is the U.S. Postal Service.

Star routes don't make money. If you represent a rural area, you can't make money out there. FedEx and UPS won't go out there. They get the Postal Service to take the stuff out there. If we dismantle the Postal Service, then everybody in rural America is out of luck.

And there are a whole heck of a lot of other people who are dependent upon this: newspapers, rural newspapers, small businesses.

Many years ago, when I first started working on this, I posted something on the website: Tell me if you need the Postal Service.

People from all the small towns all around my very large district said: I sell on eBay. That is how I make a living out here in Powers, Oregon, or in

other little places around my district. I couldn't afford UPS or FedEx. I get the one package price.

So this is critical.

And, every day, hundreds of thousands of our veterans get their drugs delivered by the United States Postal Service, many of them in rural areas, hard to serve, and, sure as heck, hard for them to get to the VA hospital or get into town.

So we need to stop burdening the Postal Service with something that makes no sense. Are there other things that need to be reformed? Yes.

But once we take this $5 billion a year burden off them—they have already put $50 billion into a theoretical account to pay for healthcare for future postal employees who haven't been born yet, who might work there, might retire some day, and might get health benefits. That is more than enough.

And, by the way, this doesn't score in any way. So that is why we have 300 bipartisan sponsors.

Mr. Speaker, I urge my colleagues at long last to undo this stupidity.

Mr. MEADOWS. Mr. Speaker, I love the passion. The only problem is it is misplaced.

I can tell you that, if this bill would truly solve the business model that the Postal Service has, I would rise and support it. If this is all we are going to do, hallelujah. Let's do it and get it done. But the gentleman is wrong. This does not solve the problem.

You can give them a pass on $5 billion a year, and they are still losing money. That is the whole issue. That is the crux of the issue.

Mr. Speaker, I yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX of North Carolina. Mr. Speaker, I thank my colleague from North Carolina. I agree with my colleague from North Carolina, let us not confuse what we are talking about here today.

I very much appreciate the postal employees who deliver the mail to my house. When I go into a post office and need to mail things, they are wonderful people and give great service. That is not the issue here. The issue is: Are we going to fund, properly, the retirement and healthcare services?

I am not necessarily opposed to addressing the United States Postal Service's requirement to prefund its retiree health benefits. Doing so, though, in this manner would be disastrous for the American taxpayer. This bill's elimination of the prefunding requirement without instituting any reforms to tackle its fiscal status, as my colleague has said, would simply mean that Congress continues to play the game of kicking the can down the road.

The fact is that there is already a long history of public retirement accounts that have either dramatically cut retiree benefits or had to rely on a taxpayer bailout as a result of not fully prefunding their plans.

This is a snowball going down the hill that is going to pick up steam.

The only way to pay off the unfunded liabilities created by the U.S. post office retiree health benefits—without enacting cost-saving reform to the U.S. Postal Service, which this bill does not—would be a taxpayer bailout.

That is why President Trump's Task Force on the United States Postal System issued formal opposition to removing the prefunding requirement. To quote the task force: ''The task force does not believe that this general policy should change or that the liability for USPS retiree health benefits should be shifted to the taxpayers.''

Mr. Speaker, I agree, to be clear, this bill moves taxpayers one step closer to a bailout of the USPS, and we should oppose this change on the taxpayers' behalf.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), the distinguished subcommittee chairman.

Mr. CONNOLLY. Mr. Speaker, I thank my good friend and distinguished chair of the Oversight and Reform Committee.

Boy, what you just heard from my friend from North Carolina couldn't be further from the truth. This is not a taxpayer bailout. Quite the opposite. It is exactly what Mr. DEFAZIO, my friend from Oregon, described.

This is righting a wrong Congress created in the dead of night in a lame-duck session in 2006 in putting a burden on the Postal Service no other entity on the planet is required to meet. And we have an obligation, having created that problem, to fix it. That is what we are trying to do with this bill.

It is not a panacea. That is why we are working on bipartisan legislation to have a comprehensive reform bill that will address a significant amount of time for the Postal Service to build a new business model.

My friend, my other friend from North Carolina (Mr. MEADOWS)—I was referring to the other North Carolinian—has been working diligently with us on a bipartisan basis for many years to try to find just the right fix. I am looking forward to that bipartisan solution.

But that doesn't mean we stop everything and fix nothing. This may not return the Postal Service to solvency, but it takes a liability off the books that is real, that hurts them, that makes it harder for them to recover and to figure out how to adjust to changes in technology and the marketplace, and that is why I support this bill.

Mr. Speaker, I look forward to its passage on a bipartisan basis, and I hope that we will fold this bill, the concept of this bill, into a larger, more comprehensive bill. As the distinguished chairwoman said, we need a comprehensive approach to the Postal Service after we address and fix this problem that Congress created.

Mr. MEADOWS. Mr. Speaker, I thank the gentleman from Virginia, and I want to highlight his work on this particular issue, and I agree with him that this, ultimately, will be part of what has to be dovetailed into anything we do to fix the Postal Service.

Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS) in the spirit of letting my colleagues express their full-throated support of this bill.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I would like to thank my good friend, Mr. MEADOWS. We have been working on issues like this relating to the long-term solvency of our Postal Service for many years, and I look forward to standing on this floor with him in the near future when we come up with a good, comprehensive solution that addresses issues like this.

I thank him for his leadership and his support of the Postal Service and the great postal workers who make up one of the greatest services that we have in our country.

Unfortunately, the Postal Service today is forced to play by a different set of rules, and those are unfair. This bill corrects this by repealing the 2006 mandate that the Postal Service prefund future retiree health benefits.

In 2006, the Postal Accountability and Enhancement Act mandated that the Postal Service prefund retiree health benefits decades in advance, something no other public or private enterprise is forced to do. Over the years, this mandate has caused severe cuts and damaged the Postal Service's ability to invest in even new delivery vehicles.

I have always been a steadfast supporter of the Postal Service and its workers. In fact, after speaking to many of the postal unions in my district, like the Letter Carriers and the Rural Letter Carriers', I proudly cosponsored this piece of legislation.

I look forward to working with my colleagues on this issue and other important pieces of legislature that impact our postal unions, such as opposing the privatization of the Postal Service and protecting the 6-day delivery, door-to-door service, and our rural post offices.

Mr. Speaker, we have to work together. We need to make sure that our Postal Service remains viable. I urge a ''yes'' vote on this bill, and I look forward to working with everyone in this institution in the future.

Mr. MEADOWS. Mr. Speaker, I thank the gentleman for his comments, and I would also join him. We have got a number of great unions that I have had the privilege of getting to know over this time as we looked at comprehensive reform, and his acknowledging them and his willingness to look at something that actually solves the problem is to be applauded.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 2 minutes to

the gentlewoman from the great State of Michigan (Mrs. LAWRENCE).

Mrs. LAWRENCE. Mr. Speaker, I rise today in support of H.R. 2382. This legislation is a positive first step—and I emphasize first step—to address a significantly more complex issue at hand: the financial solvency crisis plaguing the United States Postal Service.

After a 30-year career in the Postal Service—and I think I am the only member of Congress who is actually a letter carrier—I come to Congress with the intention of helping USPS return to a strong financial standing through legislative reform.

While decreased mail volume plays a role, there are other actions Congress must take to provide the Postal Service with the flexibility needed to reverse and mend the downward financial trend.

For the last few years, I have worked with several colleagues on the Oversight Committee, including Representatives CONNOLLY, LYNCH, MEADOWS, and the late, amazing Chairman Elijah Cummings, to introduce comprehensive postal reform.

As the House stands poised to pass H.R. 2382, I look forward to continuing to work with my colleagues on the committee to introduce a comprehensive postal reform package that will provide the Postal Service with the reform needed to help lessen the financial battle.

I want to thank Chairwoman MALONEY for her leadership on this issue, and I look forward to the continued work to build the Postal Service Fairness Act.

I urge my colleagues to support this legislation.

Mr. MEADOWS. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. Mr. Speaker, I rise today to strongly support H.R. 2382, the USPS Fairness Act. I have led, with my colleagues, this important legislation that ends the unfair prefunding mandate for the Postal Service and also solves the most pressing financing problem facing our letter carriers and post offices across the United States.

Mr. Speaker, the USPS is the only Government entity—the only one—which is mandated to prefund its retirees' health benefits. 100 percent of the Postal Service's financial losses over the past 6 years—100 percent—are directly due and linked to this requirement.

This is an outdated policy which has forced the Postal Service into a horrible financial position, which has prevented it from investing in resources that would benefit all of our communities, no matter where we live.

Moreover, Mr. Speaker, this legislation has widespread support from the National Association of Letter Carriers, the American Postal Workers Union, and the National Postal Mail Handlers Union.

This bipartisan bill will restore USPS' financial health by shoring up that funding and ensuring that it has the resources to improve the Postal Service for all Americans.

Mr. Speaker, I urge all of my colleagues on both sides of the aisle to support this legislation. This is the priority for our postal workers, in addition to 6-day delivery as well as door-to-door service. We have to get all three done for our postal workers, our letter carriers, and our post offices that serve all of our communities.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

□ 1530

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, I rise today in strong support of H.R. 2382, the USPS Fairness Act.

The United States Postal Service is an essential part of American life. It was established more than 231 years ago and has delivered on its promise every one of those years.

Benjamin Franklin was the first Postmaster General in the United States. And they have—while I understand it is not an official slogan, I think we have all heard this: ''Neither snow, nor rain, nor heat, nor gloom of night stays these couriers from the swift completion of their appointed mission.''

So we know that with more than 100 billion pieces of mail delivered each year, and a 90 percent approval rating, that we must do all that we can to support them.

Today, Members of Congress are taking the important step to help support over seven million U.S. postal workers across the country.

Since 2006, U.S. postal employees have been forced to prefund retiree health benefits 75 years in advance, making them the only government agency that must prefund future employees that have not been born yet.

This ridiculous law has caused the U.S. Postal Service to lose billions of dollars each year and has caused postal employees' uncertainty in their work. This cannot continue.

So I agree with over 300 of my colleagues that we must reverse this absurd policy. The United States Postal Service Fairness Act will repeal the prefunding that is mandated and allow the United States Postal Service to return to its pay-as-you-go system as used before.

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

I appreciate all the points that my friends opposite are making. In fact, I have made some of the very same points when we talk about reform bills.

The problem is, all the wonderful things that they are talking about in this bill do not exist. They are not making the payments. They haven't made a payment since 2010.

So how does giving relief from a payment you are not making suddenly make the Postal Service viable? It doesn't.

Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. BOST), who will give you an opposing view from our side.

Mr. BOST. Mr. Speaker, I thank the gentleman for yielding.

The United States Postal Service has a history as old as our Nation. Our Nation's Founders believed that it was so important that they put it in the Constitution and many people back home don't realize that. Of course, you know, that is the most quoted, least read document around here.

The rural communities in southern Illinois and across our country depend on the Postal Service. It is often the only means for small businesses to engage in commerce, and for rural residents to receive packages.

The Postal Service is facing many challenges, but it is taking several important steps to provide new services mandated by the modern economy. Unfortunately, it can't accomplish these reforms with one hand tied behind its back.

The Postal Service is the only entity with this requirement. I doubt that any Federal agency would be able to meet its goals and obligations to citizens and taxpayers if they were likewise required to prefund their health benefits.

The underlying legislation helps correct this. It does not impose additional costs on taxpayers, and it will help ensure the Postal Service can continue to serve our communities as it has since our Nation's founding.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentlewoman's courtesy in permitting me to speak on this bill. I feel very strongly about this.

The United States Postal Service moves almost half the world's mail. It is the most popular Federal agency, highest ratings. And, in fact, if you look at the interaction that we have with postal workers, in my community and elsewhere, they are deeply beloved.

I had a father-in-law who was a postal worker. In the holiday season he was burdened down with cookies and fruitcake and brandy that was given to him by the people on his route.

What we have seen, unfortunately, since 2006, is part of an assault on the finest Postal Service in the world. You have heard it said before on the floor; this is the only—not just the only Federal agency, I don't think there is any entity in the United States that is required to prefund health benefits for people who haven't yet been born but might be employed 20, 30, 40 years from now. This is part of an effort on behalf of some who literally have a jihad against the U.S. Postal Service.

I had a session in my community 2 weeks ago where we heard about a bizarre experiment on casing mail, taking that away from the letter carriers,

and it has resulted in a serious disruption in our community by people who are disconnected from the actual service that is given.

Postal jobs are the best jobs in many rural and small American towns. And there are some who feel, well, they are paid too much. They have too generous benefits or retirement. That is hogwash.

They provide that foundation in much of rural and small-town America; a beloved service, a service that provides an essential connection for virtually the entire country, 6 days a week, and, in fact, if we get our act together, there is more benefit that can be provided.

Get rid of this stupid prefunding and give them more flexibility about the services they can provide. Why aren't we using the U.S. Postal Service to help us with the census? These people know who lives in the neighborhood. Why are we hiring temporary employees?

Why can't we use the Postal Service to deal with problems in the future, if we have an outbreak of an anthrax-sort of activity in terms of lethal threats. Use the Postal Service. Give them the flexibility to provide more service. Respect the men and women who work there, and stop this stupid effort to undercut the finest Postal Service in the world.

I appreciate the committee bringing this legislation forward. I appreciate the bipartisan support, and maybe it is time we get our act straight to help them fulfill their full potential.

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

I do need to correct a few things that the gentleman from Oregon just addressed. This is not—support or being against this bill is not an attack on the Postal Service.

I mean, there is no one who has invested more time—I can promise you, when I came to Congress, fixing the Postal Service was not on my bucket list. And as we have invested time, and I see my good friend, Mr. LYNCH, my good friend, Mr. CONNOLLY, let me just tell you, we have invested days, if not weeks and months, to try to address this.

But the gentleman from Oregon is just not correct. This particular bill, while it may be part of a solution, gives them no flexibility. It gives them no additional cash flow. They are still going to go out of business if we do not come together and get something worked out for all of us to make sure that, not only do we have a postal system that works, but one that is not a mere shadow of its former self.

I will say this: I want to make sure that my postal unions and all of those that are watching very intently, you have made an impact on this Member from North Carolina.

Mr. Speaker, they have let me know exactly how important this is. And yet, at the same time, I am afraid I cannot support this bill because it does not do what we need it to do, and that is, address the problem today. This just kicks the can down the road. And unfortunately, it doesn't even kick it down the road long enough to allow the postal workers to depend on the very system that employs them.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH), my good friend and colleague.

Mr. LYNCH. Mr. Speaker, I thank the gentlewoman for her kindness and the courtesy afforded to me.

I do want to say that, like some other Members in this Chamber, I think at one count, I had 17 of my relatives, including my mom, several of her sisters, two of my sisters, my brother-in-law, all my cousins, who worked for the United States Postal Service, sort of the family business.

And I do thank the gentleman from North Carolina. We spent, you know, days, if not weeks, if not months, arguing over the contours of this legislation.

I want to thank Mr. DEFAZIO. And I rise in strong support of his bill.

I also thank my colleague from Virginia (Mr. CONNOLLY) for his work on this as well. And our dear colleague, Elijah Cummings, who worked on this, put his heart and soul into finding a solution.

Look, I do agree with the gentleman from North Carolina's comments, that this does not solve everything. It does not. But it is an important element of a bill that we, Republicans and Democrats, passed out of committee unanimously, without any dissent in a previous session. So it is a very important element of what we are trying to do.

There is no dispute with the gentleman from Oregon's earlier remarks that we don't ask any other group within government to fund their retiree health benefits this way. This was an idea that, I think, came out of a time when, before email and before the use of social media, the volume of mail within the Postal Service being delivered every single day, could sustain the current configuration of retiree health benefits.

Those days are long gone, and we have to figure out a way that will keep the Postal Service viable going forward.

This does not solve everything but, boy, I will tell you, this solves a lot. It buys us time to craft those other pieces that need to come together as well.

So I would argue that we should not allow the perfect to be the enemy of the good. This is a solid change here.

This is something that I think people need to understand that what we are requiring of the Postal Service right now is that, when a new employee comes into the Postal Service, we have to set aside the money, on day one, for their eventual retirement; while every other collective bargaining agreement and pension system periodically reassesses what the demands are as that person gets closer to retirement. That is the critical time to know whether or not there are sufficient resources and a guarantee that certain resources are there for that person to enjoy the retirement and the benefits and the health benefits that they have earned.

So I just ask my colleagues to vote in support of this bill. I support Mr. DEFAZIO's bill wholeheartedly, and I thank the Speaker for his courtesy.

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

I know that everybody is tuned in in their offices, paying attention to this unbelievable debate, and so for all of you that are tuned in on C–SPAN, and as we debate this, I think it is important that I share a couple of sentences from the U.S. Postal Service. So it is not from my colleagues opposite. It is not from my point of view; but this is what they have to say about this bill: ''It would neither reduce the underlying RHB liability nor improve our cash flow or our long-term financial position. It would not impact the liquidity crisis that we have.''

These are not my words, Mr. Speaker. These are the words of those that are closest to the financial responsibility, the Postal Service themselves.

So if the gentlewoman is prepared to close, I will just recommend to my colleagues a ''no'' vote, and I yield back the balance of my time.

The SPEAKER pro tempore. Members are further reminded to address their remarks to the Chair, not to a perceived viewing audience.

□ 1545

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of H.R. 2382, and I yield back the balance of my time.

Mr. LYNCH. Mr. Speaker, I rise in strong support of H.R. 2382, the U.S.P.S. Fairness Act, introduced by my colleague, Representative PETER DEFAZIO of Oregon.

I'd like to commend Mr. DEFAZIO and the other bipartisan sponsors of this bill—Mr. REED of New York, Ms. TORRES-SMALL of New Mexico, and Mr. FITZPATRICK of Pennsylvania—for their leadership in addressing the serious fiscal challenges facing the United States Postal Service. I'd also like to recognize the relentless and united effort on the part of our postal employee unions, management associations, and other stakeholders to advance this commonsense legislation.

With the support of over 300 bipartisan cosponsors, the U.S.P.S. Fairness Act would repeal a misguided provision in current law requiring the postal service to fully fund its health care costs for future postal retirees decades before it is necessary—that's an annual average cost of over $5.5 billion dollars. This is a requirement that federal law does not impose on any other government agency—especially one that receives zero tax dollars and instead relies on the revenue generated by its own stamps, products, and services to fund its operations. It is no surprise that the postal service has not been able to make these exorbitant annual payments since 2011.

The elimination of the so-called ''pre-funding mandate'' is a sensible first step towards improving the financial viability of the postal service. This bipartisan bill should also guide our approach to developing comprehensive postal reform legislation going forward. In stark contrast to the more partisan and sweeping reform proposals that have been presented to our committee in recent years, H.R. 2382 will immediately place the postal service on more sound financial footing while preserving its core public service mission to ''provide postal services to bind the nation together through the correspondence of the people.''

And contrary to the degradation of postal delivery services, or the wholesale privatization of the postal service itself, H.R. 2382 is the end product of bipartisan cooperation and the subject of broad consensus among our diverse postal stakeholders. As we develop additional postal reform legislation, it is imperative that we continue to identify fundamental and practical areas of agreement.

I urge my colleagues on both sides of the aisle to support this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, H.R. 2382.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. FOXX of North Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

FEDERAL RISK AND AUTHORIZATION MANAGEMENT PROGRAM AUTHORIZATION ACT OF 2019

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3941) to enhance the innovation, security, and availability of cloud computing services used in the Federal Government by establishing the Federal Risk and Authorization Management Program within the General Services Administration and by establishing a risk management, authorization, and continuous monitoring process to enable the Federal Government to leverage cloud computing services using a risk-based approach consistent with the Federal Information Security Modernization Act of 2014 and cloud-based operations, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3941

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Risk and Authorization Management Program Authorization Act of 2019'' or the ''FedRAMP Authorization Act''.

SEC. 2. CODIFICATION OF THE FEDRAMP PROGRAM.

(a) AMENDMENT.—Chapter 36 of title 44, United States Code, is amended by adding at the end the following new sections:

''§ 3607. Federal Risk and Authorization Management Program

''(a) ESTABLISHMENT.—There is established within the General Services Administration the Federal Risk and Authorization Management Program. The Administrator of General Services, in accordance with the guidelines established pursuant to section 3612, shall establish a governmentwide program that provides the authoritative standardized approach to security assessment and authorization for cloud computing products and services that process unclassified information used by agencies.

''(b) COMPONENTS OF FEDRAMP.—The Joint Authorization Board and the FedRAMP Program Management Office are established as components of FedRAMP.

''§ 3608. FedRAMP Program Management Office

''(a) GSA DUTIES.—

''(1) ROLES AND RESPONSIBILITIES.—The Administrator of General Services shall—

''(A) determine the categories and characteristics of cloud computing information technology goods or services that are within the jurisdiction of FedRAMP and that require FedRAMP authorization from the Joint Authorization Board or the FedRAMP Program Management Office;

''(B) develop, coordinate, and implement a process for the FedRAMP Program Management Office, the Joint Authorization Board, and agencies to review security assessments of cloud computing services pursuant to subsections (b) and (c) of section 3611, and appropriate oversight of continuous monitoring of cloud computing services; and

''(C) ensure the continuous improvement of FedRAMP.

''(2) IMPLEMENTATION.—The Administrator shall oversee the implementation of FedRAMP, including—

''(A) appointing a Program Director to oversee the FedRAMP Program Management Office;

''(B) hiring professional staff as may be necessary for the effective operation of the FedRAMP Program Management Office, and such other activities as are essential to properly perform critical functions;

''(C) entering into interagency agreements to detail personnel on a reimbursable or nonreimbursable basis to assist the FedRAMP Program Management Office and the Joint Authorization Board in discharging the responsibilities of the Office under this section; and

''(D) such other actions as the Administrator may determine necessary to carry out this section.

''(b) DUTIES.—The FedRAMP Program Management Office shall have the following duties:

''(1) Provide guidance to independent assessment organizations, validate the independent assessments, and apply the requirements and guidelines adopted in section 3609(c)(5).

''(2) Oversee and issue guidelines regarding the qualifications, roles, and responsibilities of independent assessment organizations.

''(3) Develop templates and other materials to support the Joint Authorization Board and agencies in the authorization of cloud computing services to increase the speed, effectiveness, and transparency of the authorization process, consistent with standards defined by the National Institute of Standards and Technology.

''(4) Establish and maintain a public comment process for proposed guidance before the issuance of such guidance by FedRAMP.

''(5) Issue FedRAMP authorization for any authorizations to operate issued by an agency that meets the requirements and guidelines described in paragraph (1).

''(6) Establish frameworks for agencies to use authorization packages processed by the FedRAMP Program Management Office and Joint Authorization Board.

''(7) Coordinate with the Secretary of Defense and the Secretary of Homeland Security to establish a framework for continuous monitoring and reporting required of agencies pursuant to section 3553.

''(8) Establish a centralized and secure repository to collect and share necessary data, including security authorization packages, from the Joint Authorization Board and agencies to enable better sharing and reuse to such packages across agencies.

''(c) EVALUATION OF AUTOMATION PROCEDURES.—

''(1) IN GENERAL.—The FedRAMP Program Management Office shall assess and evaluate available automation capabilities and procedures to improve the efficiency and effectiveness of the issuance of provisional authorizations to operate issued by the Joint Authorization Board and FedRAMP authorizations, including continuous monitoring of cloud environments and among cloud environments.

''(2) MEANS FOR AUTOMATION.—Not later than 1 year after the date of the enactment of this section and updated annually thereafter, the FedRAMP Program Management Office shall establish a means for the automation of security assessments and reviews.

''(d) METRICS FOR AUTHORIZATION.—The FedRAMP Program Management Office shall establish annual metrics regarding the time and quality of the assessments necessary for completion of a FedRAMP authorization process in a manner that can be consistently tracked over time in conjunction with the periodic testing and evaluation process pursuant to section 3554 in a manner that minimizes the agency reporting burden.

''§ 3609. Joint Authorization Board

''(a) ESTABLISHMENT.—There is established the Joint Authorization Board which shall consist of cloud computing experts, appointed by the Director in consultation with the Administrator, from each of the following:

''(1) The Department of Defense.

''(2) The Department of Homeland Security.

''(3) The General Services Administration.

''(4) Such other agencies as determined by the Director, in consultation with the Administrator.

''(b) ISSUANCE OF PROVISIONAL AUTHORIZATIONS TO OPERATE.—The Joint Authorization Board shall conduct security assessments of cloud computing services and issue provisional authorizations to operate to cloud service providers that meet FedRAMP security guidelines set forth in section 3608(b)(1).

''(c) DUTIES.—The Joint Authorization Board shall—

''(1) develop and make publicly available on a website, determined by the Administrator, criteria for prioritizing and selecting cloud computing services to be assessed by the Joint Authorization Board;

''(2) provide regular updates on the status of any cloud computing service during the assessment and authorization process of the Joint Authorization Board;

''(3) review and validate cloud computing services and independent assessment organization security packages or any documentation determined to be necessary by the Joint Authorization Board to evaluate the system security of a cloud computing service;

''(4) in consultation with the FedRAMP Program Management Office, serve as a resource for best practices to accelerate the FedRAMP process;

''(5) establish requirements and guidelines for security assessments of cloud computing services, consistent with standards defined by the National Institute of Standards and Technology, to be used by the Joint Authorization Board and agencies;

''(6) perform such other roles and responsibilities as the Administrator may assign, in consultation with the FedRAMP Program Management Office and members of the Joint Authorization Board; and

''(7) establish metrics and goals for reviews and activities associated with issuing provisional authorizations to operate and provide to the FedRAMP Program Management Office.

''(d) DETERMINATIONS OF DEMAND FOR CLOUD COMPUTING SERVICES.—The Joint Authorization Board shall consult with the Chief Information Officers Council established in section 3603 to establish a process for prioritizing and accepting the cloud computing services to be granted a provisional authorization to operate through the Joint Authorization Board, which shall be made available on a public website.

''(e) DETAIL OF PERSONNEL.—To assist the Joint Authorization Board in discharging the responsibilities under this section, personnel of agencies may be detailed to the Joint Authorization Board for the performance of duties described under subsection (c).

''§ 3610. Independent assessment organizations

''(a) REQUIREMENTS FOR ACCREDITATION.—The Joint Authorization Board shall determine the requirements for certification of independent assessment organizations pursuant to section 3609. Such requirements may include developing or requiring certification programs for individuals employed by the independent assessment organizations who lead FedRAMP assessment teams.

''(b) ASSESSMENT.—Accredited independent assessment organizations may assess, validate, and attest to the quality and compliance of security assessment materials provided by cloud service providers.

''§ 3611. Roles and responsibilities of agencies

''(a) IN GENERAL.—In implementing the requirements of FedRAMP, the head of each agency shall, consistent with guidance issued by the Director pursuant to section 3612—

''(1) create policies to ensure cloud computing services used by the agency meet FedRAMP security requirements and other risk-based performance requirements as defined by the Director;

''(2) issue agency-specific authorizations to operate for cloud computing services in compliance with section 3554;

''(3) confirm whether there is a provisional authorization to operate in the cloud security repository established under section 3608(b)(10) issued by the Joint Authorization Board or a FedRAMP authorization issued by the FedRAMP Program Management Office before beginning an agency authorization for a cloud computing product or service;

''(4) to the extent practicable, for any cloud computing product or service the agency seeks to authorize that has received either a provisional authorization to operate by the Joint Authorization Board or a FedRAMP authorization by the FedRAMP Program Management Office, use the existing assessments of security controls and materials within the authorization package; and

''(5) provide data and information required to the Director pursuant to section 3612 to determine how agencies are meeting metrics as defined by the FedRAMP Program Management Office.

''(b) SUBMISSION OF POLICIES REQUIRED.—Not later than 6 months after the date of the enactment of this section, the head of each agency shall submit to the Director the policies created pursuant to subsection (a)(1) for review and approval.

''(c) SUBMISSION OF AUTHORIZATIONS TO OPERATE REQUIRED.—Upon issuance of an authorization to operate or a provisional authorization to operate issued by an agency, the head of each agency shall provide a copy of the authorization to operate letter and any supplementary information required pursuant to section 3608(b) to the FedRAMP Program Management Office.

''(d) PRESUMPTION OF ADEQUACY.—

''(1) IN GENERAL.—The assessment of security controls and materials within the authorization package for provisional authorizations to operate issued by the Joint Authorization Board and agency authorizations to operate that receive FedRAMP authorization from the FedRAMP Program Management Office shall be presumed adequate for use in agency authorizations of cloud computing products and services.

''(2) INFORMATION SECURITY REQUIREMENTS.—The presumption under paragraph (1) does not modify or alter the responsibility of any agency to ensure compliance with subchapter II of chapter 35 for any cloud computing products or services used by the agency.

''§ 3612. Roles and responsibilities of the Office of Management and Budget

''The Director shall have the following duties:

''(1) Issue guidance to ensure that an agency does not operate a Federal Government cloud computing service using Government data without an authorization to operate issued by the agency that meets the requirements of subchapter II of chapter 35 and FedRAMP.

''(2) Ensure agencies are in compliance with any guidance or other requirements issued related to FedRAMP.

''(3) Review, analyze, and update guidance on the adoption, security, and use of cloud computing services used by agencies.

''(4) Ensure the Joint Authorization Board is in compliance with section 3609(c).

''(5) Adjudicate disagreements between the Joint Authorization Board and cloud service providers seeking a provisional authorization to operate through the Joint Authorization Board.

''(6) Promulgate regulations on the role of FedRAMP authorization in agency acquisition of cloud computing products and services that process unclassified information.

''§ 3613. Authorization of appropriations for FEDRAMP

''There is authorized to be appropriated $20,000,000 each year for the FedRAMP Program Management Office and the Joint Authorization Board.

''§ 3614. Reports to Congress

''Not later than 12 months after the date of the enactment of this section, and annually thereafter, the Director shall submit to the Committee on Oversight and Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that includes the following:

''(1) The status, efficiency, and effectiveness of FedRAMP Program Management Office and agencies during the preceding year in supporting the speed, effectiveness, sharing, reuse, and security of authorizations to operate for cloud computing products and services, including progress towards meeting the metrics adopted by the FedRAMP Program Management Office pursuant to section 3608(d) and the Joint Authorization Board pursuant to section 3609(c)(5).

''(2) Data on agency use of provisional authorizations to operate issued by the Joint Authorization Board and agency sponsored authorizations that receive FedRAMP authorization by the FedRAMP Program Management Office.

''(3) The length of time for the Joint Authorization Board to review applications for and issue provisional authorizations to operate.

''(4) The length of time for the FedRAMP Program Management Office to review agency applications for and issue FedRAMP authorization.

''(5) The number of provisional authorizations to operate issued by the Joint Authorization Board and FedRAMP authorizations issued by the FedRAMP Program Management Office for the previous year.

''(6) A review of progress made during the preceding year in advancing automation techniques to securely automate FedRAMP processes and to accelerate reporting as described in this section.

''(7) The number and characteristics of authorized cloud computing services in use at each agency consistent with guidance provided by the Director in section 3612.

''§ 3615. Federal Secure Cloud Advisory Committee

''(a) ESTABLISHMENT, PURPOSES, AND DUTIES.—

''(1) ESTABLISHMENT.—There is established a Federal Secure Cloud Advisory Committee (referred to in this section as the 'Committee') to ensure effective and ongoing coordination of agency adoption, use, authorization, monitoring, acquisition, and security of cloud computing products and services to enable agency mission and administrative priorities.

''(2) PURPOSES.—The purposes of the Committee are the following:

''(A) To examine the operations of FedRAMP and determine ways that authorization processes can continuously be improved, including the following:

''(i) Measures to increase agency re-use of provisional authorizations to operate issued by the Joint Authorization Board.

''(ii) Proposed actions that can be adopted to reduce the cost of provisional authorizations to operate and FedRAMP authorizations for cloud service providers.

''(iii) Measures to increase the number of provisional authorizations to operate or FedRAMP authorizations for cloud computing services offered by small businesses (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a)).

''(B) Collect information and feedback on agency compliance with and implementation of FedRAMP requirements.

''(C) Serve as a forum that facilitates communication and collaboration among the FedRAMP stakeholder community.

''(3) DUTIES.—The duties of the Committee are, at a minimum, the following:

''(A) Provide advice and recommendations to the Administrator, the Joint Authorization Board, and to agencies on technical, financial, programmatic, and operational matters regarding secure adoption of cloud computing services.

''(B) Submit reports as required.

''(b) MEMBERS.—

''(1) COMPOSITION.—The Committee shall be comprised of not more than 15 members who are qualified representatives from the public and private sectors, appointed by the Administrator, in consultation with the Administrator of the Office of Electronic Government, as follows:

''(A) The Administrator or the Administrator's designee, who shall be the Chair of the Committee.

''(B) At least 1 representative each from the Cybersecurity and Infrastructure Security Agency and the National Institute of Standards and Technology.

''(C) At least 2 officials who serve as the Chief Information Security Officer within an agency, who shall be required to maintain such a position throughout the duration of their service on the Committee.

''(D) At least 1 official serving as Chief Procurement Officer (or equivalent) in an agency, who shall be required to maintain such a position throughout the duration of their service on the Committee.

''(E) At least 1 individual representing an independent assessment organization.

''(F) No fewer than 5 representatives from unique businesses that primarily provide cloud computing services or products, including at least 2 representatives from a small business (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a))).

''(G) At least 2 other government representatives as the Administrator determines to be necessary to provide sufficient balance, insights, or expertise to the Committee.

''(2) DEADLINE FOR APPOINTMENT.—Each member of the Committee shall be appointed not later than 30 days after the date of the enactment of this Act.

''(3) PERIOD OF APPOINTMENT; VACANCIES.—

''(A) IN GENERAL.—Each non-Federal member of the Committee shall be appointed for a term of 3 years, except that the initial terms for members may be staggered 1, 2, or 3 year terms to establish a rotation in which one-third of the members are selected each year. Any such member may be appointed for not more than 2 consecutive terms.

''(B) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner in which the original appointment was made. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

''(c) MEETINGS AND RULES OF PROCEDURES.—

''(1) MEETINGS.—The Committee shall hold not fewer than 3 meetings in a calendar year, at such time and place as determined by the Chair.

''(2) INITIAL MEETING.—Not later than 120 days after the date of the enactment of this section, the Committee shall meet and begin the operations of the Committee.

''(3) RULES OF PROCEDURE.—The Committee may establish rules for the conduct of the business of the Committee, if such rules are not inconsistent with this section or other applicable law.

''(d) EMPLOYEE STATUS.—

''(1) IN GENERAL.—A member of the Committee (other than a member who is appointed to the Committee in connection with another Federal appointment) shall not be considered an employee of the Federal Government by reason of any service as such a member, except for the purposes of section 5703 of title 5, relating to travel expenses.

''(2) PAY NOT PERMITTED.—A member of the Committee covered by paragraph (1) may not receive pay by reason of service on the panel.

''(e) APPLICABILITY TO THE FEDERAL ADVISORY COMMITTEE ACT.—Notwithstanding any other provision of law, the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee, except that section 14 of such Act shall not apply.

''(f) HEARINGS AND EVIDENCE.—The Committee, or on the authority of the Committee, any subcommittee, may, for the purposes of carrying out this section, hold hearings, sit and act at such times and places, take testimony, receive evidence, and administer oaths.

''(g) CONTRACTING.—The Committee, may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Committee to discharge its duties under this section.

''(h) INFORMATION FROM FEDERAL AGENCIES.—

''(1) IN GENERAL.—The Committee is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of the Committee. Each department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Committee, upon request made by the Chair, the Chair of any subcommittee created by a majority of the Committee, or any member designated by a majority of the Committee.

''(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information may only be received, handled, stored, and disseminated by members of the Committee and its staff consistent with all applicable statutes, regulations, and Executive orders.

''(i) DETAIL OF EMPLOYEES.—Any Federal Government employee may be detailed to the Committee without reimbursement from the Committee, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

''(j) POSTAL SERVICES.—The Committee may use the United States mails in the same manner and under the same conditions as agencies.

''(k) EXPERT AND CONSULTANT SERVICES.—The Committee is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, but at rates not to exceed the daily rate paid a person occupying a position at Level IV of the Executive Schedule under section 5315 of title 5.

''(l) REPORTS.—

''(1) INTERIM REPORTS.—The Committee may submit to the Administrator and Congress interim reports containing such findings, conclusions, and recommendations as have been agreed to by the Committee.

''(2) ANNUAL REPORTS.—Not later than 18 months after the date of the enactment of this section, and annually thereafter, the Committee shall submit to the Administrator and Congress a final report containing such findings, conclusions, and recommendations as have been agreed to by the Committee.

''§ 3616. Definitions

''(a) IN GENERAL.—Except as provided under subsection (b), the definitions under sections 3502 and 3552 apply to sections 3607 through this section.

''(b) ADDITIONAL DEFINITIONS.—In sections 3607 through this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of General Services.

''(2) AUTHORIZATION PACKAGE.—The term 'authorization package'—

''(A) means the essential information used to determine whether to authorize the operation of an information system or the use of a designated set of common controls; and

''(B) at a minimum, includes the information system security plan, privacy plan, security control assessment, privacy control assessment, and any relevant plans of action and milestones.

''(3) CLOUD COMPUTING.—The term 'cloud computing' has the meaning given that term by the National Institutes of Standards and Technology in NIST Special Publication 800–145 and any amendatory or superseding document thereto.

''(4) CLOUD SERVICE PROVIDER.—The term 'cloud service provider' means an entity offering cloud computing services to agencies.

''(5) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(6) FEDRAMP.—The term 'FedRAMP' means the Federal Risk and Authorization Management Program established under section 3607(a).

''(7) FEDRAMP AUTHORIZATION.—The term 'FedRAMP authorization' means a cloud computing product or service that has received an agency authorization to operate and has been approved by the FedRAMP Program Management Office to meet requirements and guidelines established by the FedRAMP Program Management Office.

''(8) FEDRAMP PROGRAM MANAGEMENT OFFICE.—The term 'FedRAMP Program Management Office' means the office that administers FedRAMP established under section 3608.

''(9) INDEPENDENT ASSESSMENT ORGANIZATION.—The term 'independent assessment organization' means a third-party organization accredited by the Program Director of the FedRAMP Program Management Office to undertake conformity assessments of cloud service providers.

''(10) JOINT AUTHORIZATION BOARD.—The term 'Joint Authorization Board' means the Joint Authorization Board established under section 3609.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 36 of title 44, United States Code, is amended by adding at the end the following new items:

''3607. Federal Risk and Authorization Management Program.
''3608. FedRAMP Program Management Office.
''3609. Joint Authorization Board.
''3610. Independent assessment organizations.
''3611. Roles and responsibilities of agencies.
''3612. Roles and responsibilities of the Office of Management and Budget.
''3613. Authorization of appropriations for FEDRAMP.
''3614. Reports to Congress.
''3615. Federal Secure Cloud Advisory Committee.
''3616. Definitions.''.

(c) SUNSET.—This Act and any amendment made by this Act shall be repealed on the date that is 10 years after the date of the enactment of this Act.

(d) RULE OF CONSTRUCTION.—Nothing in this Act or any amendment made by this Act shall be construed as altering or impairing the authorities of the Director of the Office of Management and Budget or the Secretary of Homeland Security under subchapter II of chapter 35 of title 44, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the measure before us.

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

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

I thank my colleagues and friends, Representatives CONNOLLY and MEADOWS, for their bipartisan work on this very important measure.

The Federal Risk and Authorization Management Program Authorization Act would codify and improve the existing FedRAMP program in the General Services Administration.

First established in 2011, FedRAMP is an important program that certifies cloud service providers that wish to offer services to the Federal Government. The FedRAMP certification process outlined in this bill is comprehensive and facilitates easier agency adoption, promotes agency reuse, and encourages savings.

The FedRAMP process uses a risk-based approach to ensure the reliability of any cloud platform that hosts unclassified government data. A significant provision of this bill is the Federal Secure Cloud Advisory Committee. This committee would be tasked with key responsibilities, including providing technical expertise on cloud products and services and identifying ways to reduce costs associated with FedRAMP certification.

The Director of the Office of Management and Budget would be required to issue regulations pertaining to FedRAMP and would ensure that agencies are not using cloud service providers without authorization.

This bill supports a critical effort to keep our Nation's information secure in cloud environments.

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

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

I rise in support of H.R. 3941, the FedRAMP Authorization Act.

Cybersecurity and IT modernization are both vital issues that we need to make sure run properly. The gentleman from Virginia (Mr. CONNOLLY) has been very proactive on this front.

The Federal Risk and Authorization Management Program, or FedRAMP, as it is commonly referred to, would allow Federal programs to focus on cybersecurity for cloud services, and it provides a process for agencies to follow when procuring cloud systems to ensure that those systems meet strict cybersecurity controls.

The gentlewoman, the chairman of the full committee, has certainly talked on a number of issues as it relates to this bill, but since there is no opposition that I am aware of, I will just submit my remarks for the RECORD.

Mr. Speaker, I rise in support of H.R. 3941, the FedRAMP Authorization Act.

Cyber security and IT modernization are both vital issues to ensure this government runs efficiently and effectively.

The Federal Risk and Authorization Management Program, or FedRAMP, is the main federal program focused on cyber security for cloud services.

It provides a process for agencies to follow when procuring cloud systems to ensure the systems meet strict cyber security controls.

Recent federal policies make the focus on securing cloud services especially important.

With the Cloud First initiative in 2011 and the Cloud Smart initiative from last year, the government has focused on implementation of cloud technologies.

The federal government has been plagued by reoccurring problems in information technology, such as low asset utilization, duplicative systems, and fragmented resources.

Shifting to the cloud provides for improved asset utilization, increased innovation, and a more responsive tech environment.

These improved efficiencies lead to a significant cost savings.

In fiscal year 2018, the government spent roughly six and a half billion dollars on cloud computing, with eighty four percent coming from FedRAMP authorized providers.

Efficiencies from FedRAMP saved agencies over two hundred fifty million dollars.

Codifying the program is an important step to encouraging agencies to take advantage of this program and all the benefits it offers.

I urge my colleagues to support the bill.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield as much time as he may consume to the gentleman from Virginia (Mr. CONNOLLY), chair of the subcommittee.

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

I salute my partner and friend on our subcommittee, Mr. MEADOWS. He chaired the subcommittee in the previous Congress, and I was his ranking member. We have reversed roles, but our partnership continues, especially in trying to modernize the Federal Government and bringing it into the 21st century in terms of information technology. We know that when we don't make those investments, bad things can happen. We just saw that the other night in the Iowa caucus.

H.R. 3941 codifies the Federal Risk and Authorization Management Program, known as FedRAMP, established in 2011 to provide a cost-effective, risk-based approach for the adoption and use of cloud computing technologies within the Federal Government.

FedRAMP standardizes security requirements for the authorization and ongoing cybersecurity assessments of cloud services for information systems across the Federal Government. In short, FedRAMP seeks to reduce the redundancies of Federal cloud migration and to help agencies quickly adopt cloud technologies.

I am also happy to say that FedRAMP has the approval of this administration. Last June, the Trump administration issued its Federal cloud computing strategy called Cloud Smart, which reaffirmed its support for FedRAMP. The Cloud Smart strategy acknowledged the importance of FedRAMP in helping agencies modernize their information technology systems.

Cloud Smart also highlighted improvements the program has implemented over the past few years that have resulted in a drastically reduced timeframe for providing a provisional authorization to operate a cloud service provider.

However, the administration also noted that there is still lack of reciprocity across agencies in taking advantage of FedRAMP-authorized products. Without that reciprocity, agencies end up duplicating the assessment process of cloud service offerings, leading to time delays and inefficiencies for both the Federal Government and the providers.

In July, the Subcommittee on Government Operations held a hearing to look at what the GSA has done right in administering the program and the ways in which FedRAMP can and should be improved. The message both from agency and industry witnesses was clear. FedRAMP is an important program that, if carried out effectively and efficiently, saves money for both agencies and businesses hoping to provide those services.

The FedRAMP Authorization Act codifies the program and addresses many of the concerns raised in July by both the administration and private-sector witnesses.

First, the bill reduces duplication of security assessments and other obstacles to agency adoption of cloud products by establishing—and this is really important—a presumption of adequacy for cloud technologies that have already received FedRAMP certification. Going to 33 different windows with 33 separate processes costs way too much money, takes way too much time, and, frankly, is unnecessary.

The presumption of adequacy means that the cloud service offering has met baseline security standards already established by the program and should be considered approved for use across the Federal Government, except where very specialized services would be required.

The bill also facilitates agency reuse of cloud technologies that have already received an authorization to operate by requiring agencies to check a centralized and secure repository and, to the extent practicable, reuse any existing security assessment before conducting an independent one of their own.

The desire to automate aspects of FedRAMP assessment processes was another key finding of the subcommittee's hearing. This bill requires the GSA work toward automating their processes, which will lead to more standard security assessments and continuous monitoring of cloud offerings to increase the efficiency for both providers and agencies.

The bill also establishes, as the distinguished chairwoman indicated, a Federal Secure Cloud Advisory Committee to ensure a dialogue among

GSA, agency cybersecurity and procurement officials, and industry in order to have effective and ongoing coordination in acquisition and adoption of cloud products by the Federal Government.

Finally, the bill authorizes the program at $20 million at an annual level, providing sufficient resources to increase the number of secure cloud technologies available for agency adoption.

We have worked with OMB, GSA, industry stakeholders, and our minority counterparts to ensure that this bill makes needed improvements in the FedRAMP program and gives the program the flexibility to grow and adopt to future changes in cloud technologies. I believe it is consistent with the administration's goals, and I urge adoption of the bill.

Mr. MEADOWS. Mr. Speaker, I yield myself the balance of my time.

I thank the gentleman for his leadership on this. I will say that I have had a number of conversations in recent weeks with stakeholders who have offered some suggestions on what we could do, so I look forward to working with the gentleman opposite on how we can address this critical issue.

Mr. Speaker, I would urge support and adoption of this measure, and I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself the balance of my time.

I urge passage of H.R. 3941, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, H.R. 3941, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PAYMENT INTEGRITY INFORMATION ACT OF 2019

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (S. 375) to improve efforts to identify and reduce Governmentwide improper payments, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 375

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Payment Integrity Information Act of 2019''.

SEC. 2. IMPROPER PAYMENTS.

(a) IN GENERAL.—Chapter 33 of title 31, United States Code, is amended by adding at the end the following:

''Subchapter IV—Improper Payments

''§ 3351. Definitions

''In this subchapter:

''(1) ANNUAL FINANCIAL STATEMENT.—The term 'annual financial statement' means the annual financial statement required under section 3515 of this title or similar provision of law.

''(2) COMPLIANCE.—The term 'compliance' means that an executive agency—

''(A) has—

''(i) published improper payments information with the annual financial statement of the executive agency for the most recent fiscal year; and

''(ii) posted on the website of the executive agency that statement and any accompanying materials required under guidance of the Office of Management and Budget;

''(B) if required, has conducted a program specific risk assessment for each program or activity that conforms with the requirements under section 3352(a);

''(C) if required, publishes improper payments estimates for all programs and activities identified under section 3352(a) in the accompanying materials to the annual financial statement;

''(D) publishes programmatic corrective action plans prepared under section 3352(d) that the executive agency may have in the accompanying materials to the annual financial statement;

''(E) publishes improper payments reduction targets established under section 3352(d) that the executive agency may have in the accompanying materials to the annual financial statement for each program or activity assessed to be at risk, and has demonstrated improvements and developed a plan to meet the reduction targets; and

''(F) has reported an improper payment rate of less than 10 percent for each program and activity for which an estimate was published under section 3352(c).

''(3) DO NOT PAY INITIATIVE.—The term 'Do Not Pay Initiative' means the initiative described in section 3354(b).

''(4) IMPROPER PAYMENT.—The term 'improper payment'—

''(A) means any payment that should not have been made or that was made in an incorrect amount, including an overpayment or underpayment, under a statutory, contractual, administrative, or other legally applicable requirement; and

''(B) includes—

''(i) any payment to an ineligible recipient;

''(ii) any payment for an ineligible good or service;

''(iii) any duplicate payment;

''(iv) any payment for a good or service not received, except for those payments where authorized by law; and

''(v) any payment that does not account for credit for applicable discounts.

''(5) PAYMENT.—The term 'payment' means any transfer or commitment for future transfer of Federal funds such as cash, securities, loans, loan guarantees, and insurance subsidies to any non-Federal person or entity or a Federal employee, that is made by a Federal agency, a Federal contractor, a Federal grantee, or a governmental or other organization administering a Federal program or activity.

''(6) PAYMENT FOR AN INELIGIBLE GOOD OR SERVICE.—The term 'payment for an ineligible good or service' includes a payment for any good or service that is rejected under any provision of any contract, grant, lease, cooperative agreement, or other funding mechanism.

''(7) RECOVERY AUDIT.—The term 'recovery audit' means a recovery audit described in section 3352(i).

''(8) STATE.—The term 'State' means each State of the United States, the District of Columbia, each territory or possession of the United States, and each Federally recognized Indian tribe.

''§ 3352. Estimates of improper payments and reports on actions to reduce improper payments

''(a) IDENTIFICATION OF SUSCEPTIBLE PROGRAMS AND ACTIVITIES.—

''(1) IN GENERAL.—The head of each executive agency shall, in accordance with guidance prescribed by the Director of the Office of Management and Budget—

''(A) periodically review all programs and activities that the head of the executive agency administers; and

''(B) identify all programs and activities with outlays exceeding the statutory threshold dollar amount described in paragraph (3)(A)(i) that may be susceptible to significant improper payments.

''(2) FREQUENCY.—A review under paragraph (1) shall be performed for each program and activity that the head of an executive agency administers not less frequently than once every 3 fiscal years.

''(3) RISK ASSESSMENTS.—

''(A) DEFINITION OF SIGNIFICANT.—In this paragraph, the term 'significant' means that, in the preceding fiscal year, the sum of a program or activity's improper payments and payments whose propriety cannot be determined by the executive agency due to lacking or insufficient documentation may have exceeded—

''(i) $10,000,000 of all reported program or activity payments of the executive agency made during that fiscal year and 1.5 percent of program outlays; or

''(ii) $100,000,000.

''(B) SCOPE.—In conducting a review under paragraph (1), the head of each executive agency shall take into account those risk factors that are likely to contribute to a susceptibility to significant improper payments, such as—

''(i) whether the program or activity reviewed is new to the executive agency;

''(ii) the complexity of the program or activity reviewed;

''(iii) the volume of payments made through the program or activity reviewed;

''(iv) whether payments or payment eligibility decisions are made outside of the executive agency, such as by a State or local government;

''(v) recent major changes in program funding, authorities, practices, or procedures;

''(vi) the level, experience, and quality of training for personnel responsible for making program eligibility determinations or certifying that payments are accurate;

''(vii) significant deficiencies in the audit report of the executive agency or other relevant management findings that might hinder accurate payment certification;

''(viii) similarities to other programs or activities that have reported improper payment estimates or been deemed susceptible to significant improper payments;

''(ix) the accuracy and reliability of improper payment estimates previously reported for the program or activity, or other indicator of potential susceptibility to improper payments identified by the Inspector General of the executive agency, the Government Accountability Office, other audits performed by or on behalf of the Federal, State, or local government, disclosures by the executive agency, or any other means;

''(x) whether the program or activity lacks information or data systems to confirm eligibility or provide for other payment integrity needs; and

''(xi) the risk of fraud as assessed by the executive agency under the Standards for Internal Control in the Federal Government published by the Government Accountability Office (commonly known as the 'Green Book').

''(C) ANNUAL REPORT.—Each executive agency shall publish an annual report that includes—

''(i) a listing of each program or activity identified under paragraph (1), including the date on which the program or activity was most recently assessed for risk under paragraph (1); and

''(ii) a listing of any program or activity for which the executive agency makes any substantial changes to the methodologies of the reviews conducted under paragraph (1).

''(b) IMPROVING THE DETERMINATION OF IMPROPER PAYMENTS.—

''(1) IN GENERAL.—The Director of the Office of Management and Budget shall on an annual basis—

''(A) identify a list of high-priority Federal programs for greater levels of oversight and review—

''(i) in which the highest dollar value or highest rate of improper payments occur; or

''(ii) for which there is a higher risk of improper payments; and

''(B) in coordination with the executive agency responsible for administering a high-priority program identified under subparagraph (A), establish annual targets and semi-annual or quarterly actions for reducing improper payments associated with the high-priority program.

''(2) REPORT ON HIGH-PRIORITY IMPROPER PAYMENTS.—

''(A) IN GENERAL.—Subject to Federal privacy policies and to the extent permitted by law, each executive agency with a program identified under paragraph (1)(A) shall on an annual basis submit to the Inspector General of the executive agency and the Office of Management and Budget, and make available to the public, including through a website, a report on that program.

''(B) CONTENTS.—Each report submitted under subparagraph (A)—

''(i) shall describe any action the executive agency—

''(I) has taken or plans to take to recover improper payments; and

''(II) intends to take to prevent future improper payments; and

''(ii) shall not include—

''(I) any referrals the executive agency made or anticipates making to the Department of Justice; or

''(II) any information provided in connection with a referral described in subclause (I).

''(C) PUBLIC AVAILABILITY ON CENTRAL WEBSITE.—The Office of Management and Budget shall make each report submitted under subparagraph (A) available on a central website.

''(D) AVAILABILITY OF INFORMATION TO INSPECTOR GENERAL.—Subparagraph (B)(ii) shall not prohibit any referral or information being made available to an Inspector General as otherwise provided by law.

''(E) ASSESSMENT AND RECOMMENDATIONS.—The Inspector General of each executive agency that submits a report under subparagraph (A) shall, for each program of the executive agency that is identified under paragraph (1)(A)—

''(i) review—

''(I) the assessment of the level of risk associated with the program and the quality of the improper payment estimates and methodology of the executive agency relating to the program; and

''(II) the oversight or financial controls to identify and prevent improper payments under the program; and

''(ii) submit to the appropriate authorizing and appropriations committees of Congress recommendations, which may be included in another report submitted by the Inspector General to Congress, for modifying any plans of the executive agency relating to the program, including improvements for improper payments determination and estimation methodology.

''(F) ANNUAL MEETING.—Not less frequently than once every year, the head of each executive agency with a program identified under paragraph (1)(A), or a designee of the head of the executive agency, shall meet with the Director of the Office of Management and Budget, or a designee of the Director, to report on actions taken during the preceding year and planned actions to prevent improper payments.

''(c) ESTIMATION OF IMPROPER PAYMENTS.—

''(1) ESTIMATION.—With respect to each program and activity identified under subsection (a)(1), the head of the relevant executive agency shall—

''(A) produce a statistically valid estimate, or an estimate that is otherwise appropriate using a methodology approved by the Director of the Office of Management and Budget, of the improper payments made under the program or activity; and

''(B) include the estimates described in subparagraph (A) in the accompanying materials to the annual financial statement of the executive agency and as required in applicable guidance of the Office of Management and Budget.

''(2) LACKING OR INSUFFICIENT DOCUMENTATION.—

''(A) IN GENERAL.—For the purpose of producing an estimate under paragraph (1), when the executive agency cannot determine, due to lacking or insufficient documentation, whether a payment is proper or not, the payment shall be treated as an improper payment.

''(B) SEPARATE REPORT.—The head of an executive agency may report separately on what portion of the improper payments estimate for a program or activity of the executive agency under paragraph (1) is attributable to lacking or insufficient documentation.

''(d) REPORTS ON ACTIONS TO REDUCE IMPROPER PAYMENTS.—With respect to any program or activity of an executive agency with estimated improper payments under subsection (c), the head of the executive agency shall provide with the estimate required under subsection (c) a report on what actions the executive agency is taking to reduce improper payments, including—

''(1) a description of the causes of the improper payments, actions planned or taken to correct those causes, and the planned or actual completion date of the actions taken to address those causes;

''(2) in order to reduce improper payments to a level below which further expenditures to reduce improper payments would cost more than the amount those expenditures would save in prevented or recovered improper payments, a statement of whether the executive agency has what is needed with respect to—

''(A) internal controls;

''(B) human capital; and

''(C) information systems and other infrastructure;

''(3) if the executive agency does not have sufficient resources to establish and maintain effective internal controls as described in paragraph (2)(A), a description of the resources the executive agency has requested in the budget submission of the executive agency to establish and maintain those internal controls;

''(4) program-specific and activity-specific improper payments reduction targets that have been approved by the Director of the Office of Management and Budget;

''(5) a description of the steps the executive agency has taken to ensure that executive agency managers, programs, and, where appropriate, States and local governments are held accountable through annual performance appraisal criteria for—

''(A) meeting applicable improper payments reduction targets; and

''(B) establishing and maintaining sufficient internal controls, including an appropriate control environment, that effectively—

''(i) prevent improper payments from being made; and

''(ii) promptly detect and recover improper payments that are made; and

''(6) a description of how the level of planned or completed actions by the executive agency to address the causes of the improper payments matches the level of improper payments, including a breakdown by category of improper payment and specific timelines for completion of those actions.

''(e) REPORTS ON ACTIONS TO RECOVER IMPROPER PAYMENTS.—With respect to improper payments identified in a recovery audit, the head of the executive agency shall provide with the estimate required under subsection (c) a report on all actions the executive agency is taking to recover the improper payments, including—

''(1) a discussion of the methods used by the executive agency to recover improper payments;

''(2) the amounts recovered, outstanding, and determined to not be collectable, including the percent those amounts represent of the total improper payments of the executive agency;

''(3) if a determination has been made that certain improper payments are not collectable, a justification of that determination;

''(4) an aging schedule of the amounts outstanding;

''(5) a summary of how recovered amounts have been disposed of;

''(6) a discussion of any conditions giving rise to improper payments and how those conditions are being resolved; and

''(7) if the executive agency has determined under subsection (i) that performing recovery audits for any applicable program or activity is not cost-effective, a justification for that determination.

''(f) GOVERNMENTWIDE REPORTING OF IMPROPER PAYMENTS AND ACTIONS TO RECOVER IMPROPER PAYMENTS.—

''(1) REPORT.—Each fiscal year, the Director of the Office of Management and Budget shall submit a report with respect to the preceding fiscal year on actions that executive agencies have taken to report information regarding improper payments and actions to recover improper payments to—

''(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(B) the Committee on Oversight and Reform of the House of Representatives; and

''(C) the Comptroller General of the United States.

''(2) CONTENTS.—Each report required under paragraph (1) shall include—

''(A) a summary of the reports of each executive agency on improper payments and recovery actions submitted under this section;

''(B) an identification of the compliance status of each executive agency, as determined by the Inspector General of the executive agency under section 3353, to which this section applies;

''(C) Governmentwide improper payment reduction targets;

''(D) a Governmentwide estimate of improper payments; and

''(E) a discussion of progress made towards meeting Governmentwide improper payment reduction targets.

''(g) GUIDANCE BY THE OFFICE OF MANAGEMENT AND BUDGET.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section,

the Director of the Office of Management and Budget shall prescribe guidance for executive agencies to implement the requirements of this section, which shall not include any exemptions to those requirements that are not specifically authorized by this section.

''(2) CONTENTS.—The guidance under paragraph (1) shall prescribe—

''(A) the form of the reports on actions to reduce improper payments, recovery actions, and Governmentwide reporting; and

''(B) strategies for addressing risks and establishing appropriate prepayment and postpayment internal controls.

''(h) DETERMINATIONS OF AGENCY READINESS FOR OPINION ON INTERNAL CONTROL.—The criteria required to be developed under section 2(g) of the Improper Payments Elimination and Recovery Act of 2010, as in effect on the day before the date of enactment of this section—

''(1) shall continue to be in effect on and after the date of enactment of this section; and

''(2) may be modified as determined appropriate by the Director of the Office of Management and Budget.

''(i) RECOVERY AUDITS.—

''(1) IN GENERAL.—

''(A) CONDUCT OF AUDITS.—Except as provided under paragraph (3) and if not prohibited under any other provision of law, the head of each executive agency shall conduct recovery audits with respect to each program and activity of the executive agency that expends $1,000,000 or more annually if conducting the audits would be cost effective.

''(B) PROCEDURES.—In conducting a recovery audit under this subsection, the head of an executive agency—

''(i) shall give priority to the most recent payments and to payments made in any program identified as susceptible to significant improper payments under subsection (a);

''(ii) shall implement this subsection in a manner designed to ensure the greatest financial benefit to the Federal Government; and

''(iii) may conduct the recovery audit directly, by using other departments and agencies of the United States, or by procuring performance of recovery audits by private sector sources by contract, subject to the availability of appropriations, or by any combination thereof.

''(C) RECOVERY AUDIT CONTRACTS.—With respect to a recovery audit procured by an executive agency by contract—

''(i) subject to subparagraph (B)(iii), and except to the extent such actions are outside the authority of the executive agency under section 7103 of title 41, the head of the executive agency may authorize the contractor to—

''(I) notify entities, including individuals, of potential overpayments made to those entities;

''(II) respond to questions concerning potential overpayments; and

''(III) take other administrative actions with respect to an overpayment claim made or to be made by the executive agency; and

''(ii) the contractor shall not have the authority to make a final determination relating to whether any overpayment occurred or whether to compromise, settle, or terminate an overpayment claim.

''(D) CONTRACT TERMS AND CONDITIONS.—

''(i) IN GENERAL.—The executive agency shall include in each contract for procurement of performance of a recovery audit a requirement that the contractor shall—

''(I) provide to the executive agency periodic reports on conditions giving rise to overpayments identified by the contractor and any recommendations on how to mitigate those conditions;

''(II) notify the executive agency of any overpayments identified by the contractor pertaining to the executive agency or to any other executive agency that are beyond the scope of the contract; and

''(III) report to the executive agency credible evidence of fraud or vulnerabilities to fraud and conduct appropriate training of personnel of the contractor on identification of fraud.

''(ii) REPORTS ON ACTIONS TAKEN.—Each executive agency shall, on an annual basis, include in annual financial statement of the executive agency a report on actions taken by the executive agency during the preceding fiscal year to address the recommendations described in clause (i)(I).

''(E) AGENCY ACTION FOLLOWING NOTIFICATION.—Each executive agency shall—

''(i) take prompt and appropriate action in response to a report or notification by a contractor under subclause (I) or (II) of subparagraph (D)(i) to collect an overpayment; and

''(ii) forward to other executive agencies any information that applies to that executive agency.

''(2) DISPOSITION OF AMOUNTS RECOVERED.—

''(A) IN GENERAL.—Amounts collected by executive agencies each fiscal year through recovery audits shall be treated in accordance with this paragraph.

''(B) DISTRIBUTION.—The head of an executive agency shall determine the distribution of collected amounts described in subparagraph (A), less amounts needed to fulfill the purposes of section 3562(a) of this title, in accordance with subparagraphs (C), (D), and (E).

''(C) USE FOR FINANCIAL MANAGEMENT IMPROVEMENT PROGRAM.—Not more than 25 percent of the amounts collected by an executive agency through recovery audits—

''(i) shall be available to the head of the executive agency to carry out the financial management improvement program of the executive agency under paragraph (3);

''(ii) may be credited, if applicable, for the purpose described in clause (i) by the head of an executive agency to any executive agency appropriations and funds that are available for obligation at the time of collection; and

''(iii) shall be used to supplement and not supplant any other amounts available for the purpose described in clause (i) and shall remain available until expended.

''(D) USE FOR ORIGINAL PURPOSE.—Not more than 25 percent of the amounts collected by an executive agency through recovery audits—

''(i) shall be credited to the appropriation or fund, if any, available for obligation at the time of collection for the same general purposes as the appropriation or fund from which the overpayment was made;

''(ii) shall remain available for the same period and purposes as the appropriation or fund to which credited; and

''(iii) if the appropriation from which an overpayment was made has expired—

''(I) in the case of recoveries of overpayments that are made from a trust or special fund account, shall revert to that account; and

''(II) in the case of other recoveries of overpayments—

''(aa) for amounts that are recovered more than 5 fiscal years from the last fiscal year in which the funds were available for obligation, shall be deposited in the Treasury as miscellaneous receipts; and

''(bb) for other amounts, shall be newly available for the same time period as the funds were originally available for obligation.

''(E) USE FOR INSPECTOR GENERAL ACTIVITIES.—Not more than 5 percent of the amounts collected by an executive agency through recovery audits—

''(i) shall be available to the Inspector General of that executive agency for—

''(I) the Inspector General to carry out this Act; or

''(II) any other activities of the Inspector General relating to investigating improper payments or auditing internal controls associated with payments; and

''(ii) shall remain available for the same period and purposes as the appropriation or fund to which credited.

''(F) REMAINDER.—Amounts collected that are not applied in accordance with subparagraph (B), (C), (D), or (E) shall be deposited in the Treasury as miscellaneous receipts, except that in the case of recoveries of overpayments that are made from trust or special fund accounts, those amounts shall revert to those accounts.

''(G) DISCRETIONARY AMOUNTS.—This paragraph shall apply only to recoveries of overpayments that are made from discretionary appropriations, as defined in section 250(c)(7) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(7)), and shall not apply to recoveries of overpayments that are made from discretionary amounts that were appropriated before the date of enactment of the Improper Payments Elimination and Recovery Act of 2010, as in effect on the day before the date of enactment of this section.

''(H) APPLICATION.—This paragraph shall not apply to the recovery of an overpayment if the appropriation from which the overpayment was made has not expired.

''(3) FINANCIAL MANAGEMENT IMPROVEMENT PROGRAM.—

''(A) REQUIREMENT.—The head of each executive agency shall conduct a financial management improvement program consistent with rules prescribed by the Director of the Office of Management and Budget.

''(B) PROGRAM FEATURES.—In conducting a program described in subparagraph (A), the head of an executive agency—

''(i) shall, as the first priority of the program, address problems that contribute directly to executive agency improper payments; and

''(ii) may seek to reduce errors and waste in other executive agency programs and operations.

''(4) PRIVACY PROTECTIONS.—Any nongovernmental entity that, in the course of recovery auditing or recovery activity under this subsection, obtains information that identifies an individual or with respect to which there is a reasonable basis to believe that the information can be used to identify an individual, may not disclose the information for any purpose other than the recovery auditing or recovery activity and governmental oversight of the activity, unless disclosure for that other purpose is authorized by the individual to the executive agency that contracted for the performance of the recovery auditing or recovery activity.

''(5) RULE OF CONSTRUCTION.—Except as provided under paragraph (4), nothing in this subsection shall be construed as terminating or in any way limiting authorities that are otherwise available to executive agencies under existing provisions of law to recover improper payments and use recovered amounts.

''§ 3353. Compliance

''(a) ANNUAL COMPLIANCE REPORT BY INSPECTORS GENERAL OF EXECUTIVE AGENCIES.—

''(1) IN GENERAL.—Each fiscal year, the Inspector General of each executive agency shall—

''(A) determine whether the executive agency is in compliance; and

''(B) submit a report on the determination made under subparagraph (A) to—

''(i) the head of the executive agency;

''(ii) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(iii) the Committee on Oversight and Reform of the House of Representatives; and

''(iv) the Comptroller General of the United States.

''(2) DEVELOPMENT OR USE OF A CENTRAL WEBSITE.—The Council of the Inspectors General on Integrity and Efficiency (in this subsection referred to as the 'Council') shall develop a public central website, or make use of a public central website in existence on the date of enactment of this section, to contain individual compliance determination reports issued by Inspectors General under paragraph (1)(B) and such additional information as determined by the Council.

''(3) OMB GUIDANCE.—Not later than 180 days after the date of enactment of this section, the Director of the Office of Management and Budget, in consultation with the Council and with consideration given to the available resources and independence of individual Offices of Inspectors General, shall develop and promulgate guidance for the compliance determination reports issued by the Inspectors General under paragraph (1)(B), which shall require that—

''(A) the reporting format used by the Inspectors General is consistent;

''(B) Inspectors General evaluate and take into account the adequacy of executive agency risk assessments, improper payment estimates methodology, and executive agency action plans to address the causes of improper payments;

''(C) Inspectors General take into account whether the executive agency has correctly identified the causes of improper payments and whether the actions of the executive agency to address those causes are adequate and effective;

''(D) Inspectors General evaluate the adequacy of executive agency action plans on how the executive agency addresses the causes of improper payments; and

''(E) as part of the report, Inspectors General include an evaluation of executive agency efforts to prevent and reduce improper payments and any recommendations for actions to further improve that prevention and reduction.

''(4) CIGIE GUIDANCE.—Not later than 180 days after the date of enactment of this section, the Council shall, with consideration given to the available resources and independence of individual Offices of Inspectors General, develop and promulgate guidance that specifies procedures for compliance determinations made by the Inspectors General under paragraph (1)(A), which shall describe procedures for Inspectors General—

''(A) to make the determinations consistent regarding compliance; and

''(B) to evaluate—

''(i) for compliance with the requirement described in section 3351(2)(B), the risk assessment methodology of the executive agency, including whether the audits, examinations, and legal actions of the Inspector General indicate a higher risk of improper payments or actual improper payments that were not included in the risk assessments of the executive agency conducted under section 3352(a);

''(ii) for compliance with the requirement described in section 3351(2)(C), the accuracy of the rate estimates and whether the sampling and estimation plan used is appropriate given program characteristics;

''(iii) for compliance with the requirement described in section 3351(2)(D), the corrective action plans and whether the plans are adequate and focused on the true causes of improper payments, including whether the corrective action plans are—

''(I) reducing improper payments;

''(II) effectively implemented; and

''(III) prioritized within the executive agency;

''(iv) the adequacy of executive agency action plans to address the causes of improper payments;

''(v) executive agency efforts to prevent and reduce improper payments, and any recommendations for actions to further improve; and

''(vi) whether an executive agency has published an annual financial statement in accordance with the requirement described in section 3351(2)(A).

''(b) REMEDIATION.—

''(1) NONCOMPLIANCE.—

''(A) IN GENERAL.—If an executive agency is determined by the Inspector General of that executive agency not to be in compliance under subsection (a) in a fiscal year with respect to a program or activity, the head of the executive agency shall submit to the appropriate authorizing and appropriations committees of Congress a plan describing the actions that the executive agency will take to come into compliance.

''(B) PLAN.—The plan described in subparagraph (A) shall include—

''(i) measurable milestones to be accomplished in order to achieve compliance for each program or activity;

''(ii) the designation of a senior executive agency official who shall be accountable for the progress of the executive agency in coming into compliance for each program or activity; and

''(iii) the establishment of an accountability mechanism, such as a performance agreement, with appropriate incentives and consequences tied to the success of the official designated under clause (ii) in leading the efforts of the executive agency to come into compliance for each program or activity.

''(2) NONCOMPLIANCE FOR 2 FISCAL YEARS.—

''(A) IN GENERAL.—If an executive agency is determined by the Inspector General of that executive agency not to be in compliance under subsection (a) for 2 consecutive fiscal years for the same program or activity, the executive agency shall propose to the Director of the Office of Management and Budget additional program integrity proposals that would help the executive agency come into compliance.

''(B) ADDITIONAL FUNDING.—

''(i) IN GENERAL.—If the Director of the Office of Management and Budget determines that additional funding would help an executive agency described in subparagraph (A) come into compliance, the head of the executive agency shall obligate additional funding, in an amount determined by the Director, to intensified compliance efforts.

''(ii) REPROGRAMMING OR TRANSFER AUTHORITY.—In providing additional funding under clause (i)—

''(I) the head of an executive agency shall use any reprogramming or transfer authority available to the executive agency; and

''(II) if after exercising the reprogramming or transfer authority described in subclause (I), additional funding is necessary to obligate the full level of funding determined by the Director of the Office of Management and Budget under clause (i), the executive agency shall submit a request to Congress for additional reprogramming or transfer authority.

''(3) REAUTHORIZATION AND STATUTORY PROPOSALS.—If an executive agency is determined by the Inspector General of that executive agency not to be in compliance under subsection (a) for 3 consecutive fiscal years for the same program or activity, the head of the executive agency shall, not later than 30 days after the date of that determination, submit to the appropriate authorizing and appropriations committees of Congress and the Comptroller General of the United States—

''(A)(i) reauthorization proposals for each program or activity that has not been in compliance for 3 or more consecutive fiscal years; and

''(ii) proposed statutory changes necessary to bring the program or activity into compliance; or

''(B) if the head of the executive agency determines that clauses (i) and (ii) of subparagraph (A) will not bring the program or activity into compliance, a description of the actions that the executive agency is undertaking to bring the program or activity into compliance and a timeline of when the compliance will be achieved.

''(4) PLAN AND TIMELINE FOR COMPLIANCE.—If an executive agency is determined by the Inspector General of that executive agency not to be in compliance under subsection (a) for 4 or more consecutive fiscal years for the same program or activity, the head of the executive agency shall, not later than 30 days after such determination, submit to the appropriate authorizing and appropriations committees of Congress a report that includes—

''(A) the activities taken to comply with the requirements for 1, 2, 3, 4, or more years of noncompliance;

''(B) a description of any requirements that were fulfilled for 1, 2, or 3 consecutive years of noncompliance that are still relevant and being pursued as a means to bring the program or activity into compliance and prevent and reduce improper payments;

''(C) a description of any new corrective actions; and

''(D) a timeline for when the program or activity will achieve compliance based on the actions described within the report.

''(5) ANNUAL REPORT.—Each executive agency shall submit to the appropriate authorizing and appropriations committees of Congress and the Comptroller General of the United States—

''(A) a list of each program or activity that was determined to not be in compliance under paragraph (1), (2), (3), or (4); and

''(B) actions that are planned to bring the program or activity into compliance.

''(c) COMPLIANCE ENFORCEMENT PILOT PROGRAMS.—The Director of the Office of Management and Budget may establish 1 or more pilot programs that shall test potential accountability mechanisms with appropriate incentives and consequences tied to success in ensuring compliance with this section and eliminating improper payments.

''(d) IMPROVED ESTIMATES GUIDANCE.—The guidance required to be provided under section 3(b) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section—

''(1) shall continue to be in effect on and after the date of enactment of this section; and

''(2) may be modified as determined appropriate by the Director of the Office of Management and Budget.

''§ 3354. Do Not Pay Initiative

''(a) PREPAYMENT AND PREAWARD PROCEDURES.—

''(1) IN GENERAL.—Each executive agency shall review prepayment and preaward procedures and ensure that a thorough review of available databases with relevant information on eligibility occurs to determine program or award eligibility and prevent improper payments before the release of any Federal funds.

''(2) DATABASES.—At a minimum and before issuing any payment or award, each executive agency shall review as appropriate the following databases to verify eligibility of the payment and award:

''(A) The death records maintained by the Commissioner of Social Security.

''(B) The System for Award Management Exclusion Records, formerly known as the Excluded Parties List System, of the General Services Administration.

''(C) The Debt Check Database of the Department of the Treasury.

''(D) The Credit Alert System or Credit Alert Interactive Voice Response System of the Department of Housing and Urban Development.

''(E) The List of Excluded Individuals/Entities of the Office of Inspector General of the Department of Health and Human Services.

''(F) Information regarding incarcerated individuals maintained by the Commissioner of Social Security under sections 202(x) and 1611(e) of the Social Security Act (42 U.S.C. 402(x), 1382(e)).

''(b) DO NOT PAY INITIATIVE.—

''(1) IN GENERAL.—There is the Do Not Pay Initiative, which shall include—

''(A) use of the databases described in subsection (a)(2); and

''(B) use of other databases designated by the Director of the Office of Management and Budget, or the designee of the Director, in consultation with executive agencies and in accordance with paragraph (2).

''(2) OTHER DATABASES.—In making designations of other databases under paragraph (1)(B), the Director of the Office of Management and Budget, or the head of any executive agency designated by the Director, shall—

''(A) consider any database that substantially assists in preventing improper payments; and

''(B) provide public notice and an opportunity for comment before designating a database under paragraph (1)(B).

''(3) ACCESS AND REVIEW.—

''(A) IN GENERAL.—For purposes of identifying and preventing improper payments, each executive agency shall have access to, and use of, the Do Not Pay Initiative to verify payment or award eligibility in accordance with subsection (a).

''(B) MATCHING PROGRAMS.—

''(i) IN GENERAL.—The head of the agency operating the Working System may, in consultation with the Office of Management and Budget, waive the requirements of section 552a(o) of title 5 in any case or class of cases for computer matching activities conducted under this section.

''(ii) GUIDANCE.—The Director of the Office of Management and Budget may issue guidance that establishes requirements governing waivers under clause (i).

''(C) OTHER ENTITIES.—Each State and any contractor, subcontractor, or agent of a State, including a State auditor or State program responsible for reducing improper payments of a federally funded State-administered program, and the judicial and legislative branches of the United States, as defined in paragraphs (2) and (3), respectively, of section 202(e) of title 18, shall have access to, and use of, the Do Not Pay Initiative for the purpose of verifying payment or award eligibility for payments.

''(D) CONSISTENCY WITH PRIVACY ACT OF 1974.—To ensure consistency with the principles of section 552a of title 5 (commonly known as the 'Privacy Act of 1974'), the Director of the Office of Management and Budget may issue guidance that establishes privacy and other requirements that shall be incorporated into Do Not Pay Initiative access agreements with States, including any contractor, subcontractor, or agent of a State, and the judicial and legislative branches of the United States, as defined in paragraphs (2) and (3), respectively, of section 202(e) of title 18.

''(4) PAYMENT OTHERWISE REQUIRED.—When using the Do Not Pay Initiative, an executive agency shall recognize that there may be circumstances under which the law requires a payment or award to be made to a recipient, regardless of whether that recipient is identified as potentially ineligible under the Do Not Pay Initiative.

''(5) ANNUAL REPORT.—The Director of the Office of Management and Budget shall submit to Congress an annual report, which may be included as part of another report submitted to Congress by the Director, regarding the operation of the Do Not Pay Initiative, which shall—

''(A) include an evaluation of whether the Do Not Pay Initiative has reduced improper payments or improper awards; and

''(B) provide the frequency of corrections or identification of incorrect information.

''(c) INITIAL WORKING SYSTEM.—The working system required to be established under section 5(d) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section—

''(1) shall continue to be in effect on and after the date of enactment of this section; and

''(2) shall require each executive agency to review all payments and awards for all programs and activities of that executive agency through the working system.

''(d) FACILITATING DATA ACCESS BY FEDERAL AGENCIES AND OFFICES OF INSPECTORS GENERAL FOR PURPOSES OF PROGRAM INTEGRITY.—

''(1) COMPUTER MATCHING BY EXECUTIVE AGENCIES FOR PURPOSES OF INVESTIGATION AND PREVENTION OF IMPROPER PAYMENTS AND FRAUD.—

''(A) IN GENERAL.—Except as provided in this paragraph, in accordance with section 552a of title 5 (commonly known as the 'Privacy Act of 1974'), the head of each executive agency may enter into computer matching agreements with other heads of executive agencies that allow ongoing data matching, which shall include automated data matching, in order to assist in the detection and prevention of improper payments.

''(B) REVIEW.—Not later than 60 days after the date on which a proposal for an agreement under subparagraph (A) has been presented to a Data Integrity Board established under section 552a(u) of title 5 for consideration, the Data Integrity Board shall respond to the proposal.

''(C) TERMINATION DATE.—An agreement described in subparagraph (A)—

''(i) shall have a termination date of less than 3 years; and

''(ii) during the 3-month period ending on the date on which the agreement is scheduled to terminate, may be renewed by the executive agencies entering the agreement for not more than 3 years.

''(D) MULTIPLE AGENCIES.—For purposes of this paragraph, section 552a(o)(1) of title 5 shall be applied by substituting 'between the source agency and the recipient agency or non-Federal agency or an agreement governing multiple agencies' for 'between the source agency and the recipient agency or non-Federal agency' in the matter preceding subparagraph (A).

''(E) COST-BENEFIT ANALYSIS.—A justification under section 552a(o)(1)(B) of title 5 relating to an agreement under subparagraph (A) is not required to contain a specific estimate of any savings under the computer matching agreement.

''(2) GUIDANCE AND PROCEDURES BY THE OFFICE OF MANAGEMENT AND BUDGET.—The guidance, rules, and procedures required to be issued, clarified, and established under paragraphs (3) and (4) of section 5(e) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section—

''(A) shall continue to be in effect on and after the date of enactment of this section; and

''(B) may be modified as determined appropriate by the Director of the Office of Management and Budget.

''(3) COMPLIANCE.—The head of each executive agency, in consultation with the Inspector General of the executive agency, shall ensure that any information provided to an individual or entity under this subsection is provided in accordance with protocols established under this subsection.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed—

''(A) to affect the rights of an individual under section 552a(p) of title 5; or

''(B) to impede the exercise of an exemption provided to Inspectors General or by an executive agency in coordination with an Inspector General under section 6(j) of the Inspector General Act of 1978 (5 U.S.C. App.).

''(e) PLAN TO CURB FEDERAL IMPROPER PAYMENTS TO DECEASED INDIVIDUALS BY IMPROVING THE QUALITY AND USE BY FEDERAL AGENCIES OF THE SOCIAL SECURITY ADMINISTRATION DEATH MASTER FILE AND OTHER DEATH DATA.—

''(1) ESTABLISHMENT.—In conjunction with the Commissioner of Social Security and in consultation with relevant stakeholders that have an interest in or responsibility for providing the data, and each State, the Director of the Office of Management and Budget shall conduct a study and update the plan required to be established under section 5(g) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section, for improving the quality, accuracy, and timeliness of death data maintained by the Social Security Administration, including death information reported to the Commissioner under section 205(r) of the Social Security Act (42 U.S.C. 405(r)).

''(2) ADDITIONAL ACTIONS UNDER PLAN.—The plan described in this subsection shall include recommended actions by executive agencies to—

''(A) increase the quality and frequency of access to the Death Master File and other death data;

''(B) achieve a goal of at least daily access as appropriate;

''(C) provide for all States and other data providers to use improved and electronic means for providing data;

''(D) identify improved methods by executive agencies for determining ineligible payments due to the death of a recipient through proactive verification means; and

''(E) address improper payments made by executive agencies to deceased individuals as part of Federal retirement programs.

''(3) REPORT.—Not later than 120 days after the date of enactment of this section, the Director of the Office of Management and Budget shall submit a report to Congress on the plan described in this subsection, including recommended legislation.

''§ 3355. Improving recovery of improper payments

''The Director of the Office of Management and Budget shall determine—

''(1) current and historical rates and amounts of recovery of improper payments, or, in cases in which improper payments are identified solely on the basis of a sample, recovery rates and amounts estimated on the basis of the applicable sample, including a

list of executive agency recovery audit contract programs and specific information of amounts and payments recovered by recovery audit contractors; and

''(2) targets for recovering improper payments, including specific information on amounts and payments recovered by recovery audit contractors.

''§ 3356. Improving the use of data by executive agencies for curbing improper payments

''(a) PROMPT REPORTING OF DEATH INFORMATION BY THE DEPARTMENT OF STATE AND THE DEPARTMENT OF DEFENSE.—The procedure required to be established under section 7(a) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section—

''(1) shall continue to be in effect on and after the date of enactment of this section; and

''(2) may be modified as determined appropriate by the Director of the Office of Management and Budget.

''(b) PROMPT REPORTING OF DEATH INFORMATION BY THE DEPARTMENT OF VETERANS AFFAIRS AND THE OFFICE OF PERSONNEL MANAGEMENT.—Not later than 1 year after the date of enactment of this section, the Secretary of Veterans Affairs and the Director of the Office of Personnel Management shall establish a procedure under which the Secretary and the Director—

''(1) shall promptly and on a regular basis submit information relating to the deaths of individuals, including stopped payments data as applicable, to each executive agency for which the Director of the Office of Management and Budget determines receiving and using such information would be relevant and necessary; and

''(2) to facilitate the centralized access of death data for the use of reducing improper payments, may identify additional Federal sources of death data and direct the data owner to provide that data to 1 or more executive agencies for that purpose.

''(c) GUIDANCE TO EXECUTIVE AGENCIES REGARDING DATA ACCESS AND USE FOR IMPROPER PAYMENTS PURPOSES.—The guidance required to be issued under section 7(b) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section—

''(1) shall continue to be in effect on and after the date of enactment of this section; and

''(2) may be modified as determined appropriate by the Director of the Office of Management and Budget.

''§ 3357. Financial and administrative controls relating to fraud and improper payments

''(a) DEFINITION.—In this section, the term 'agency' has the meaning given the term in section 551 of title 5.

''(b) GUIDELINES.—The guidelines required to be established under section 3(a) of the Fraud Reduction and Data Analytics Act of 2015, as in effect on the day before the date of enactment of this section—

''(1) shall continue to be in effect on and after the date of enactment of this section; and

''(2) may be periodically modified by the Director of the Office of Management and Budget, in consultation with the Comptroller General of the United States, as the Director and Comptroller General may determine necessary.

''(c) REQUIREMENTS FOR CONTROLS.—The guidelines described in subsection (b) shall include—

''(1) conducting an evaluation of fraud risks and using a risk-based approach to design and implement financial and administrative control activities to mitigate identified fraud risks;

''(2) collecting and analyzing data from reporting mechanisms on detected fraud to monitor fraud trends and using that data and information to continuously improve fraud prevention controls; and

''(3) using the results of monitoring, evaluation, audits, and investigations to improve fraud prevention, detection, and response.

''(d) REPORT.—For each of fiscal years 2019 and 2020, each agency shall submit to Congress, as part of the annual financial report of the agency, a report of the agency on—

''(1) implementing—

''(A) the financial and administrative controls described in subsection (b);

''(B) the fraud risk principle in the Standards for Internal Control in the Federal Government published by the Government Accountability Office (commonly known as the 'Green Book'); and

''(C) Office of Management and Budget Circular A–123, or any successor thereto, with respect to the leading practices for managing fraud risk;

''(2) identifying risks and vulnerabilities to fraud, including with respect to payroll, beneficiary payments, grants, large contracts, and purchase and travel cards; and

''(3) establishing strategies, procedures, and other steps to curb fraud.

''§ 3358. Interagency working group for Governmentwide payment integrity improvement

''(a) WORKING GROUP.—

''(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this section, there is established an interagency working group on payment integrity—

''(A) to improve—

''(i) State-administered Federal programs to determine eligibility processes and data sharing practices;

''(ii) the guidelines described in section 3357(b) and other best practices and techniques for detecting, preventing, and responding to improper payments, including improper payments that are the result of fraud; and

''(iii) the sharing and development of data analytics techniques to help prevent and identify potential improper payments, including those that are the result of fraud; and

''(B) to identify any additional activities that will improve payment integrity of Federal programs.

''(2) COMPOSITION.—The interagency working group established under paragraph (1) shall be composed of—

''(A) the Director of the Office of Management and Budget;

''(B) 1 representative from each of the agencies described in paragraphs (1) and (2) of section 901(b) of this title; and

''(C) any other representatives of other executive agencies determined appropriate by the Director of the Office of Management and Budget, which may include the Chief Information Officer, the Chief Procurement Officer, the Chief Risk Officer, or the Chief Operating Officer of an executive agency.

''(b) CONSULTATION.—The working group established under subsection (a)(1) may consult with Offices of Inspectors General and Federal and non-Federal experts on fraud risk assessments, administrative controls over payment integrity, financial controls, and other relevant matters.

''(c) MEETINGS.—The working group established under subsection (a)(1) shall hold not fewer than 4 meetings per year.

''(d) REPORT.—Not later than 240 days after the date of enactment of this section, the working group established under subsection (a)(1) shall submit to Congress a report that includes—

''(1) a plan containing tangible solutions to prevent and reduce improper payments; and

''(2) a plan for State agencies to work with Federal agencies to regularly review lists of beneficiaries of State-managed Federal programs for duplicate enrollment between States, including how the Do Not Pay Business Center and the data analytics initiative of the Department of the Treasury could aid in the detection of duplicate enrollment.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 33 of title 31, United States Code, is amended by adding at the end the following:

''SUBCHAPTER IV—IMPROPER PAYMENTS

SEC. 3. REPEALS.

(a) IN GENERAL.—

(1) IMPROPER PAYMENTS INFORMATION ACT OF 2002.—The Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) is repealed.

(2) IMPROPER PAYMENTS ELIMINATION AND RECOVERY ACT OF 2010.—The Improper Payments Elimination and Recovery Act of 2010 (Public Law 114–204; 124 Stat. 2224) is repealed.

(3) IMPROPER PAYMENTS ELIMINATION AND RECOVERY IMPROVEMENT ACT OF 2012.—The Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is repealed.

(4) FRAUD REDUCTION AND DATA ANALYTICS ACT OF 2015.—The Fraud Reduction and Data Analytics Act of 2015 (31 U.S.C. 3321 note) is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) GOVERNMENT CHARGE CARD ABUSE PREVENTION ACT OF 2012.—Section 6(a) of the Government Charge Card Abuse Prevention Act of 2012 (5 U.S.C. 5701 note) is amended by striking ''section 3512 of title 31, United States Code, or in the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note)'' and inserting ''section 3512 or subchapter IV of chapter 33 of title 31, United States Code''.

(2) HOMELAND SECURITY ACT OF 2002.—Section 2022(a) of the Homeland Security Act of 2002 (6 U.S.C. 612(a)) is amended—

(A) in paragraph (1)(C), by striking ''Consistent with the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note)'' and inserting ''Consistent with subchapter IV of chapter 33 of title 31, United States Code''; and

(B) in paragraph (5), by striking ''section 2(h) of the Improper Payments Elimination and Recovery Act of 2010 (31 U.S.C. 3321 note)'' and inserting ''section 3352(i) of title 31, United States Code,''.

(3) SOCIAL SECURITY ACT.—Section 2105 of the Social Security Act (42 U.S.C. 1397ee(c)) is amended by striking ''Improper Payments Information Act of 2002'' each place that term appears and inserting ''subchapter IV of chapter 33 of title 31, United States Code''.

(4) TITLE 31.—Section 3562(a) of title 31, United States Code, is amended—

(A) in the matter preceding paragraph (1)—

(i) by striking ''section 3561'' and inserting ''section 3352(i)''; and

(ii) by striking ''agency for the following purposes:'' and all that follows through ''To reimburse'' and inserting ''agency to reimburse''; and

(B) by striking paragraph (2).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the measure before us.

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

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Improper payments include overpayments, underpayments, payments to the incorrect recipient, and those that lack proper documentation. They are a longstanding and significant problem in the Federal Government. In fiscal year 2018 alone, they totaled more than $151 billion.

Congress has passed a number of laws over the past two decades to try and address this problem, but the problem, unfortunately, persists.

S. 375, the Payment Integrity Information Act, would consolidate the existing and proper payment laws in one place in the U.S. Code and make several changes to help identify and reduce improper payments. It would require agencies to develop plans to prevent improper payments and also to identify programs with the highest risk.

It would also require the Office of Management and Budget and inspectors general to offer guidance on how to improve annual reporting on improper payments.

Finally, the bill will create a working group of Federal agencies and non-Federal partners to develop strategies for addressing the key causes of improper payments, such as fraud and eligibility determination in State-managed Federal benefits programs.

I thank Senators TOM CARPER, RON JOHNSON, GARY PETERS, and MIKE BRAUN for their good work on this commonsense measure. I commend Senator CARPER for his longstanding dedication to reducing improper payments.

Mr. Speaker, I urge my colleagues to support this important measure to reduce waste and fraud in Federal programs, and I reserve the balance of my time.

Mr. MEADOWS. Mr. Speaker, I rise in support of S. 375, the Payment Integrity Information Act of 2019. I know that I am not alone in addressing the Speaker on the will of the House, but there are very few times that we see a whole lot of good that comes out of the other Chamber in the Capitol. This is one of the rare moments.

□ 1600

So as I see this, I would actually encourage support of it.

According to the GAO, since 2003, we have had $1.5 trillion—that is trillion with a T—in improper payments. In fiscal year 2018 alone, Federal agencies estimated that there was $151 billion in improper payments.

The Speaker probably knows that oftentimes we have had, in Oversight Committee, annual reports on improper payments, and consistently we are talking about hundreds of billions of dollars that are sent to not only the wrong place, but in terms that are not even accounted for. And after you get hundreds of billions year after year, eventually that adds up to real money. It is time that we address it.

This is a commonsense piece of legislation that brings everything together so that we can start, hopefully, addressing the sad state of where we are in addressing improper payments. The American taxpayers demand it, the American taxpayers deserve it, and, ultimately, we have a responsibility to address it. So I rise in support of this.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 3 minutes to the gentlewoman from Minnesota (Ms. CRAIG), the House sponsor for this bill.

Ms. CRAIG. Mr. Speaker, I thank the chairwoman for yielding.

Mr. Speaker, I rise today in support of S. 375, the Payment Integrity Information Act. I was proud to introduce H.R. 5389, the House companion to this bill, earlier this year.

Mr. Speaker, I thank the Congressman, Mr. MEADOWS, as well as Representatives CHERI BUSTOS and GREG GIANFORTE for their work on this bill.

My constituents sent me here to Congress to represent some of the hardest working, creative, and entrepreneurial folks in our country. Every day, I work to protect the hard-earned dollars of these families, and I remain committed to ensuring that the Federal Government is a good steward of their tax dollars.

In fiscal year 2018 alone, the Government Accountability Office estimated that improper payments throughout the Federal Government totaled $151 billion. Since 2003, when agencies were first directed to begin reporting improper payments, cumulative improper payments estimated across government have totaled $1.4 trillion.

These improper payments can be overpayments, underpayments, payments made to ineligible parties, or payments that were not properly documented. Frankly, it is outrageous.

Whether it is overpaying a defense contractor or underpaying a senior on their Social Security benefits, the Federal Government has an obligation to put commonsense policies in place to end these improper payments.

Mr. Speaker, I urge all of my colleagues to support this bipartisan and commonsense bill to tackle Federal waste, fraud, and abuse so that we can make room to fund the priorities that Minnesota families care so much about, like special education and addressing our crumbling infrastructure.

Mr. MEADOWS. Mr. Speaker, again, this bill actually takes five different laws that have really not been codified in an appropriate manner, brings them together under one umbrella, and allows us to address this in a meaningful way, a commonsense bill.

Mr. Speaker, I join my colleagues opposite to thank them for their support. I rise in support of this legislation.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of S. 375, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, S. 375.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PRESIDENTIAL TRANSITION ENHANCEMENT ACT OF 2019

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (S. 394) to amend the Presidential Transition Act of 1963 to improve the orderly transfer of the executive power during Presidential transitions.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 394

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Presidential Transition Enhancement Act of 2019''.

SEC. 2. PRESIDENTIAL TRANSITION ENHANCEMENTS.

(a) IN GENERAL.—Section 3 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''upon request,'' and all that follows through ''including'' and inserting ''upon request, to each President-elect, each Vice-President-elect, and, for up to 60 days after the date of the inauguration of the President-elect and Vice-President-elect, each President and Vice President, for use in connection with the preparations for the assumption of official duties as President or Vice President necessary services and facilities, including''; and

(B) in paragraph (2)—

(i) by inserting '', or an employee of a committee of either House of Congress, a joint committee of the Congress, or an individual

Member of Congress,'' after ''any branch of the Government''; and

(ii) by inserting '', or in the case of an employee in a position in the legislative branch, with the consent of the supervising Member of Congress'' after ''with the consent of the head of the agency'';

(2) by striking subsection (b) and inserting the following:

''(b) The Administrator shall expend funds for the provision of services and facilities under this section—

''(1) in connection with any obligation incurred by the President-elect or Vice-President-elect, or after the inauguration of the President-elect as President and the inauguration of the Vice-President-elect as Vice President incurred by the President or Vice President, during the period—

''(A) beginning on the day after the date of the general elections held to determine the electors of the President and Vice President under section 1 or 2 of title 3, United States Code; and

''(B) ending on the date that is 60 days after the date of such inauguration; and

''(2) without regard to whether the President-elect, Vice-President-elect, President, or Vice President submits to the Administrator a request for payment regarding services or facilities before the end of such period.'';

(3) in subsection (h)(2)(B)(ii), by striking ''computers'' and inserting ''information technology''; and

(4) By adding at the end the following:

''(i) MEMORANDUMS OF UNDERSTANDING.—

''(1) IN GENERAL.—Not later than September 1 of a year during which a Presidential election occurs, the Administrator shall, to the maximum extent practicable, enter into a memorandum of understanding with each eligible candidate, which shall include, at a minimum, the conditions for the administrative support services and facilities described in subsection (a).

''(2) EXISTING RESOURCES.—To the maximum extent practicable, a memorandum of understanding entered into under paragraph (1) shall be based on memorandums of understanding relating to previous Presidential transitions.

''(3) TRANSITION REPRESENTATIVE.—

''(A) DESIGNATION OF REPRESENTATIVE FOR INQUIRIES.—Each memorandum of understanding entered into under this subsection shall designate a representative of the eligible candidate to whom the Administrator shall direct any inquiries or legal instruments regarding the records of the eligible candidate that are in the custody of the Administrator.

''(B) CHANGE IN TRANSITION REPRESENTATIVE.—The designation of a new individual as the transition representative of an eligible candidate shall not require the execution of a new memorandum of understanding under this subsection.

''(C) TERMINATION OF DESIGNATION.—The designation of a transition representative under a memorandum of understanding shall terminate—

''(i) not later than September 30 of the year during which the inauguration of the President-elect as President and the inauguration of the Vice-President-elect as Vice President occurs; or

''(ii) before the date described in clause (i), upon request of the President-elect or the Vice-President-elect or, after such inauguration, upon request of the President or the Vice President.

''(4) AMENDMENTS.—Any amendment to a memorandum of understanding entered into under this subsection shall be agreed to in writing.

''(5) PRIOR NOTIFICATION OF DEVIATION.—Each party to a memorandum of understanding entered into under this subsection shall provide written notice, except to the extent prohibited under another provision of law, not later than 3 days before taking any action that deviates from the terms and conditions agreed to in the memorandum of understanding.

''(6) DEFINITION.—In this subsection, the term 'eligible candidate' has the meaning given that term in subsection (h)(4).''.

(b) AGENCY TRANSITIONS.—Section 4 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''and'' at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

''(4) the term 'nonpublic information'—

''(A) means information from the Federal Government that a member of a transition team obtains as part of the employment of the member that such member knows or reasonably should know has not been made available to the general public; and

''(B) includes information that a member of the transition team knows or reasonably should know—

''(i) is exempt from disclosure under section 552 of title 5, United States Code, or otherwise protected from disclosure by law; and

''(ii) is not authorized by the appropriate government agency or officials to be released to the public; and'';

(2) in subparagraphs (C) and (D) of subsection (e)(3), by inserting ''serving in a career position'' after ''senior representative'';

(3) by striking subsection (f)(2) and inserting the following:

''(2) ACTING OFFICERS.—Not later than September 15 of a year during which a Presidential election occurs, and in accordance with subchapter III of chapter 33 of title 5, United States Code, the head of each agency shall ensure that a succession plan is in place for each senior noncareer position in the agency.''; and

(4) in subsection (g)—

(A) in paragraph (1), by striking ''November 1'' and inserting ''October 1''; and

(B) by adding at the end the following:

''(3) ETHICS PLAN.—

''(A) IN GENERAL.—Each memorandum of understanding under paragraph (1) shall include an agreement that the eligible candidate will implement and enforce an ethics plan to guide the conduct of the transition beginning on the date on which the eligible candidate becomes the President-elect.

''(B) CONTENTS.—The ethics plan shall include, at a minimum—

''(i) a description of the ethics requirements that will apply to all members of the transition team, including any specific requirement for transition team members who will have access to nonpublic or classified information;

''(ii) a description of how the transition team will—

''(I) address the role on the transition team of—

''(aa) lobbyists registered under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) and individuals who were former lobbyists registered under that Act; and

''(bb) persons registered under the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.), foreign nationals, and other foreign agents;

''(II) prohibit a transition team member with conflicts of interest similar to those applicable to Federal employees under section 2635.402(a) and section 2635.502(a) of title 5, Code of Federal Regulations, related to current or former employment, affiliations, clients, or investments, from working on particular matters involving specific parties that affect the interests of such member; and

''(III) address how the covered eligible candidate will address his or her own conflicts of interest during a Presidential term if the covered eligible candidate becomes the President-elect;

''(iii) a Code of Ethical Conduct, which each member of the transition team will sign and be subject to, that reflects the content of the ethics plans under this paragraph and at a minimum requires transition team members to—

''(I) seek authorization from transition team leaders or their designees before seeking, on behalf of the transition, access to any nonpublic information;

''(II) keep confidential any nonpublic information provided in the course of the duties of the member with the transition and exclusively use such information for the purposes of the transition; and

''(III) not use any nonpublic information provided in the course of transition duties, in any manner, for personal or private gain for the member or any other party at any time during or after the transition; and

''(iv) a description of how the transition team will enforce the Code of Ethical Conduct, including the names of the members of the transition team responsible for enforcement, oversight, and compliance.

''(C) PUBLICLY AVAILABLE.—The transition team shall make the ethics plan described in this paragraph publicly available on the internet website of the General Services Administration the earlier of—

''(i) the day on which the memorandum of understanding is completed; or

''(ii) October 1.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the measure before us.

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

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself as much time as I may consume.

The Presidential Transition Enhancement Act would make a number of important changes to the transition process when a new President is elected.

Mr. Speaker, I want to thank Senators JOHNSON and CARPER for their hard work on this issue.

Many of the provisions in the bill before us today were introduced in the House by our late chairman, Elijah Cummings, in the Transition Team Ethics Improvement Act.

Most importantly, the bill would strengthen the ethics requirements for transition team members.

The Government Accountability Office issued a report in 2017 about President Trump's Presidential transition.

GAO reported that the Trump transition team required team members to sign an ethics code of conduct but failed to designate a transition team member responsible for enforcing it.

Ethics plans are important for Presidential transitions because Presidents-elect often hire transition team members who work in the private sector, but unlike Federal employees, private-sector employees are not subject to Federal ethics laws.

This bill would require eligible Presidential candidates to agree to enforce ethics plans during the transition period. The bill includes core elements of what those ethics plans should include, such as a description of how the transition team will address participation by lobbyists and individuals working for foreign governments.

The bill would also require that transition teams make the ethics plans they adopt publicly available. It also includes provisions to ensure that nonpublic information remains confidential and is not used in any way for personal gain.

The bill would clarify the responsibility of the General Services Administration during a transition by requiring a memorandum of understanding between the agency and the Presidential transition team. Finally, the bill would allow GSA to provide transition services for up to 60 days after an inauguration.

These provisions would help ensure smoother transitions than we have had in the past.

I am very glad this is a bipartisan bill. The Senate approved this bill without any opposition.

The peaceful transition of power from one party to another is a cornerstone of our democratic system. We must do all we can to ensure the integrity of that process.

Mr. Speaker, I urge my colleagues to join me in supporting this important legislation, and I reserve the balance of my time.

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

I rise in support of S. 394, the Presidential Transition Enhancement Act of 2019.

First, Mr. Speaker, I would like to thank Chairman JOHNSON for taking a serious look at the needed ethics reform. The Senate has developed this legislative package in a bipartisan manner, something that we would be well served in this House to do.

At the beginning of Congress, I think the Democrats introduced H.R. 1, which was a grab bag of unrelated Democrat messaging bills. One section of H.R. 1 was really directed at the President of the United States and his administration without really addressing serious ethics reforms.

S. 394, on the other hand, is an honest ethics reform package. The bipartisan support in the Senate shows that ethics reform does not need to be a partisan exercise.

I would suggest Senator JOHNSON's bill addresses a number of ambiguities about how agencies work with Presidential transition teams that were identified by the Trump transition team. For example, agencies and the Presidential transition team should come to an agreement about the use and disclosure of transition team records.

The bill also establishes a requirement for a transition team's ethics plan. The plan would include consideration of how conflicts of interest would be addressed by members of the transition team and the President-elect.

I hope that we can use this for our future benefit as we work together in a bipartisan manner to make sure that ethics are addressed and stop politicizing ethics reforms.

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of this bill, S. 394, and I yield back the balance of my time.

Mr. MEADOWS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, S. 394.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ARETHA FRANKLIN POST OFFICE BUILDING

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3976) to designate the facility of the United States Postal Service located at 12711 East Jefferson Avenue in Detroit, Michigan, as the ''Aretha Franklin Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3976

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ARETHA FRANKLIN POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 12711 East Jefferson Avenue in Detroit, Michigan, shall be known and designated as the ''Aretha Franklin Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Aretha Franklin Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this measure.

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

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join my colleagues in consideration of H.R. 3976, to designate the facility of the U.S. Postal Service located at 12711 East Jefferson Avenue in Detroit, Michigan, as the Aretha Franklin Post Office Building.

Mr. Speaker, I thank my friend and colleague, Representative BRENDA LAWRENCE, for introducing this important measure to honor a cultural and civil rights heroine.

Aretha Franklin, the ''Queen of Soul,'' was an American singer, songwriter, pianist, and civil rights activist from Detroit, Michigan. Over her career, Aretha Franklin was awarded 18 Grammy awards, along with various lifetime achievement recognitions.

Her unique vocal style not only influenced generations of future singers, but it also earned her the number one spot on Rolling Stone magazine's list of the Greatest Singers of All Time.

Aretha Franklin was also a champion for civil rights and women's rights. She frequently donated to civil rights groups, and two of her biggest hits, ''Respect'' and ''You Make Me Feel Like a Natural Woman,'' became anthems for social change movements across the country.

In 1987, she was the first woman to be inducted into the Rock and Roll Hall of Fame. She also received the Presidential Medal of Freedom from President George W. Bush in 2005.

Aretha Franklin died of advanced pancreatic cancer on August 16, 2018, in Detroit, Michigan. Naming a post office in the city she cherished so fondly would recognize her important cultural and civic accomplishments.

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

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

Mr. Speaker, I rise in support of H.R. 3976, introduced by my friend, Representative BRENDA LAWRENCE.

This bill, as has been mentioned, names a post office located in Detroit, Michigan, in honor of the ''Queen of Soul,'' Aretha Franklin.

Aretha Franklin was an American singer, songwriter, pianist, and civil rights activist, and so we want to give honor where honor is due.

She began her career as a child singing at her church in Detroit. For the next six decades, her distinctive voice captivated listeners and influenced countless other singers.

So it is my delight to rise in support of this particular bill. It is out of ''Respect'' for my good friend from Michigan, and so we will ''Say a Little Prayer'' and hope that this goes through.

□ 1615

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Michigan (Mrs. LAWRENCE), the author of this bill.

Mrs. LAWRENCE. Mr. Speaker, I thank the gentlewoman for yielding.

I will start by thanking the leadership on the Committee on Oversight and Reform for marking up this legislation.

Mr. Speaker, I rise today in support of H.R. 3976, which would rename a post office in my hometown of Detroit after the Queen of Soul, Aretha Franklin. As was mentioned earlier, she was an 18 Grammy Award winner; a star on the Hollywood Walk of Fame; and the first woman to be inducted into the Rock & Roll Hall of Fame.

She performed at three inaugural events for Presidents Carter, Clinton, and Barack Obama. She was a woman who was respected on both sides of the aisle where President Bush issued her the Medal of Freedom.

''A Natural Woman'' singer, she was more than just a music icon. She was a civil rights advocate who used her platform and voice to advocate for racial equality.

I knew her personally and she would talk to me about being a child and having Martin Luther King in her home with her dad discussing policies and what they were going to do to fight together for racial equality.

In 1967, Aretha released ''Respect,'' which became a rally cry for racial and gender political movements of the time.

Although people remember Aretha Franklin as the ''Queen of Soul'' she was more than just a vocalist. Aretha used her platform to become a beacon of hope for people during the civil rights movement and her voice served as a perfect guiding light.

In 1967, she toured with Harry Belafonte and Sidney Poitier to raise money for Dr. Martin Luther King's Southern Christian Leadership Conference. The organization was in a dire financial state and would soon become the Poor People's Campaign.

In 1970, few people knew Aretha Franklin posted bond for Angela Davis, a prominent activist who was jailed on trumped-up charges. In 1970, a Jet magazine article quoted Aretha Franklin: ''Black people will be free. I have been locked up for disturbing the peace in Detroit and I know you got to disturb the peace when you can't get no peace. Jail is hell to be in. I'm going to see her free if there is any justice in our courts . . . because she's a Black woman and she wants freedom for Black people.''

In her 1999 autobiography, ''Aretha: From These Roots'' described the impact Detroit had on her childhood and career. ''Detroiters realize how deeply I appreciate the city in which I was raised. And it is in Detroit that I continue to cultivate my career; it is to Detroit that I direct most of my charitable activities; and it is from Detroit that I receive much love and support, which I reciprocate.''

No matter how famous she became worldwide, Aretha always gave back to the city she grew up in. She frequently hosted community events for congregants in her father's church, and she donated to organizations like Save the Children and Easterseals and supported local food banks across Detroit.

In the year after her passing, an outpouring of support has led to the renaming of Detroit monuments in her honor—and I am so proud and happy to stand here today, personally knowing her, traveling with her on her tours—to include a post office near her home in Detroit to the list of ways to commemorate this amazing woman.

While there is little that can truly demonstrate our appreciation for Aretha Franklin, I hope her family knows how proud and thankful we all are for her lifelong support.

Mr. Speaker, I urge my colleagues to give a little support R-E-S-P-E-C-T, to this legislation.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Speaker, I thank Madam Chair for yielding.

Mr. Speaker, I rise today in strong support of H.R. 3976, the bill sponsored by my colleague, Mrs. LAWRENCE, and by the members of the Michigan delegation.

This bill honors the ''Queen of Soul,'' Aretha Franklin, and her innumerable contributions to music. Her faith in Detroit and its people is what I remember as much as her voice. This legislation serves as a fitting tribute to her esteemed legacy.

Aretha Franklin grew up singing at the New Bethel Baptist Church with her father, Reverend C.L. Franklin. Aretha's father was a good and dear friend to John Dingell, helping him early in his career. The two of them fought side by side in the fifties and the sixties for civil rights legislation.

Aretha's career includes more than 20 Grammy Awards, the first woman inducted into the Rock & Roll Hall of Fame and receiving the Presidential Medal of Freedom.

However, it is Aretha's message through music of respect, love, and faith that will stay with us for generations.

Today, I stand with my Michigan colleagues and urge every Member to honor Aretha Franklin's legacy. Her contributions to our country are deserving of this recognition, and maybe we need to have her up there, up there with John, ''say a little prayer'' for us.

Mr. MEADOWS. Mr. Speaker, I will just cut to the chase. Let's get this thing done and get it over with and make sure that we show the ''respect'' that we should.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge passage of H.R. 3976. I had the opportunity to meet Aretha Franklin several times. She was a great friend of Charlie Rangel and would often perform for his events. She very generously gave her time to raise money for all kinds of civic rights events. She was a remarkable person and a great singer.

Mr. Speaker, I urge everyone to support this important legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CARSON of Indiana). The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, H.R. 3976.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MOTHER FRANCES XAVIER CABRINI POST OFFICE BUILDING

Mrs. LAWRENCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4794) to designate the facility of the United States Postal Service located at 8320 13th Avenue in Brooklyn, New York, as the ''Mother Frances Xavier Cabrini Post Office Building''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4794

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MOTHER FRANCES XAVIER CABRINI POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 8320 13th Avenue in Brooklyn, New York, shall be known and designated as the ''Mother Frances Xavier Cabrini Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Mother Frances Xavier Cabrini Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. LAWRENCE) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on this measure.

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

There was no objection.

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

Mr. Speaker, I am pleased to join my colleagues in consideration of H.R. 4794, to designate the facilities of the United States Postal Service located at 8320 13th Avenue in Brooklyn, New York, as the Mother Frances Xavier Cabrini Post Office.

I want to thank Representative MAX ROSE, a fellow Member, for introducing this bill honoring, literally, a saint. In November of 1880, Mother Cabrini, along with six other women, took religious vows and founded the Missionary Sisters of the Sacred Heart of Jesus. The purpose of the missionary was to care and educate orphans.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. ROSE).

Mr. ROSE of New York. Mr. Speaker, I thank Congresswoman LAWRENCE for that kind introduction, and the gentlewoman is an honorary fellow New Yorker.

Mr. Speaker, I rise to support my bill, H.R. 4794, to rename the post office in Dyker Heights, Brooklyn as the Mother Frances Xavier Cabrini Post Office. Mother Cabrini was a great New Yorker and a great American who devoted her life to helping the poor and underserved to include immigrants throughout New York City.

Mother Cabrini is famous across the United States for her work providing education in underserved communities. She began her work organizing classes for Italian immigrants and orphans through the city. She helped found Columbus Hospital in New York City's Lower East Side, which is now a part of the world-renowned Memorial Sloan Kettering Cancer Center.

After her success in New York, she was called upon to open up schools all around the world; not only across the United States, but also in Europe, and Central and South America.

Mother Cabrini is not just a New York icon, although she is that. Her name is affixed to buildings in Chicago, Seattle, New Orleans, Denver, Los Angeles, and Philadelphia.

Cabrini was naturalized as a U.S. citizen in 1909 and canonized as Saint Frances Xavier Cabrini on July 7, 1946 by Pope Pius XII as the patron saint of immigrants.

I am proud to have the support of my colleagues from the New York delegation, both Democrats and Republicans, who have come together in recognition that the time has come to give Mother Cabrini her due recognition.

Mother Cabrini will always be a shining example of our country's commitment to the less fortunate, particularly immigrants in our country. She also serves as a testament for the power of education, the power of education to relieve poverty and empower communities, regardless of their background.

Mr. Speaker, I urge my colleagues to vote in favor of this bill.

Mr. MEADOWS. Mr. Speaker, I rise in support of H.R. 4794. I appreciate Representative ROSE's willingness to acknowledge the great work of Mother Cabrini and so much has been said already about her accomplishments.

Mr. Speaker, I ask that my colleagues support this legislation, and I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. LAWRENCE) that the House suspend the rules and pass the bill, H.R. 4794.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

□ 1630

JULIUS L. CHAMBERS CIVIL RIGHTS MEMORIAL POST OFFICE

Mrs. LAWRENCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4981) to designate the facility of the United States Postal Service located at 2505 Derita Avenue in Charlotte, North Carolina, as the ''Julius L. Chambers Civil Rights Memorial Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4981

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. JULIUS L. CHAMBERS CIVIL RIGHTS MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2505 Derita Avenue in Charlotte, North Carolina, shall be known and designated as the ''Julius L. Chambers Civil Rights Memorial Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Julius L. Chambers Civil Rights Memorial Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. LAWRENCE) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this matter.

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

There was no objection.

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

Mr. Speaker, I am pleased to join my colleagues in consideration of H.R. 4981 to designate the facility of the United States Postal Service located at 2505 Derita Avenue in Charlotte, North Carolina, as the Julius L. Chambers Civil Rights Memorial Post Office.

I thank Representative ALMA ADAMS for introducing this bill to honor Julius Chambers, a civil rights icon.

Mr. Speaker, I yield such time as she may consume the gentlewoman from North Carolina (Ms. ADAMS).

Ms. ADAMS. Mr. Speaker, I thank the chairwoman from Michigan for yielding, as well the gentleman from North Carolina.

Mr. Speaker, I rise today in support of H.R. 4981, which would designate the U.S. Post Office facility at 2505 Derita Avenue in Charlotte, North Carolina, as the Julius L. Chambers Civil Rights Memorial Post Office.

Julius LeVonne Chambers was born in Mount Gilead, North Carolina, in 1935. When he was young, a White man stole from his father, an auto mechanic, by refusing to pay a substantial bill. When attorneys in Mount Gilead refused to hear his father's case because his father was Black, Julius Chambers vowed to become a lawyer himself.

At North Carolina Central University—then the North Carolina College at Durham—for his undergraduate education, Chambers served as student body president. While attending UNC-Chapel Hill for law school, Julius Chambers was the first African American editor in chief of that school's prestigious law review.

Upon graduating and moving to Charlotte in 1964, Julius Chambers began a prolific legal career that would see him fight for justice and equality. He founded his own law firm and immediately began to litigate key discrimination cases after White firms would not hire him. Mr. Chambers' firm would later become North Carolina's first integrated law firm, Ferguson Chambers & and Sumter, P.A. It is still in operation today.

Notably, in 1970, Chambers argued successfully before the U.S. Supreme Court in the landmark Swann v. Charlotte-Mecklenburg Board of Education that resulted in the desegregation of the Charlotte-Mecklenburg school system.

As he fought for equality, there were many who fought to stop him. In January 1965, his car was burned. In November 1965, his home was bombed. And in February 1971, his office was firebombed.

According to The New York Times: ''His response was defiant; he said he would 'keep fighting.' It was also measured. 'We must accept this type of practice,' he said, 'from those less in control of their faculties.'''

Though he endured hardships, he did not grow weary of his mission. As he grew into one of the Nation's most accomplished civil rights lawyers, Julius Chambers would go on to lead the NAACP Legal Defense and Educational Fund for over 9 years, where he continued to fight for social justice and equality.

He would later return to North Carolina Central University to serve as chancellor, where he proudly cultivated young minds from 1993 until 2001.

After a lifetime of service to others, Julius L. Chambers passed away at the age of 76 in 2013.

Mr. Speaker, my State and our Nation are undoubtedly better because of the life of Julius L. Chambers. I admired this man, and I was pleased to know him and had many conversations with him during his lifetime.

During this Black History Month, I hope that my colleagues will join me in voting in favor of this legislation and help me honor this civil rights legend in a community that he worked so hard to improve.

I thank my colleague, Mr. MEADOWS, and all of my colleagues from North Carolina and that delegation for supporting this legislation.

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

Mr. Speaker, I rise in support of H.R. 4981 introduced by my good friend, the gentlewoman from North Carolina (Ms. ADAMS).

Certainly, she has gone over all the reasons why support for this measure is not only demanded, but it is certainly deserved. I would just join her in asking my colleagues to support it, and I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I yield myself such time as I may consume to urge the passage of H.R. 4981.

Mr. Speaker, this is such a significant opportunity for us in Congress to be able to recognize lifelong accomplishments that are above the norm, people who give their lives so that their names will never be forgotten.

It is with great honor that we recognize a queen, a saint, and now a civil rights leader, and I urge the passage of H.R. 4981.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. LAWRENCE) that the House suspend the rules and pass the bill, H.R. 4981.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

WALTER B. JONES, JR. POST OFFICE

Mrs. LAWRENCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5037) to designate the facility of the United States Postal Service located at 3703 North Main Street in Farmville, North Carolina, as the ''Walter B. Jones, Jr. Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5037

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. WALTER B. JONES, JR. POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 3703 North Main Street in Farmville, North Carolina, shall be known and designated as the ''Walter B. Jones, Jr. Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Walter B. Jones, Jr. Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. LAWRENCE) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on this measure.

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

There was no objection.

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

Mr. Speaker, I am pleased to join my colleagues in consideration of H.R. 5037 to designate the facility of the United States Postal Service located at 3703 North Main Street in Farmville, North Carolina, as the Walter B. Jones, Jr. Post Office.

I thank Representative MURPHY for introducing this measure honoring our former colleague. As you know, Walter Jones was born in North Carolina and was a longtime resident of Farmville. He later graduated from Atlantic Christian College and served 4 years in the National Guard.

Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, I am happy to rise in support of this legislation, H.R. 5037, supporting the designation of the Walter B. Jones, Jr. Post Office in his hometown of Farmville, North Carolina.

The late Walter Jones was a treasured colleague and a personal friend, and I am glad to join others in the North Carolina delegation and in this Chamber in this fitting tribute.

Walter, I think we would all agree, charted a path uniquely his own. His warmth and sincerity earned him respect and affection on both sides of the aisle and across the entire spectrum of political attitudes and beliefs. The same was true in North Carolina among his constituents.

Walter was perhaps best known for his devotion to our men and women in uniform and their families. He was attentive, of course, to the needs of our military bases in North Carolina, but for Walter, this was very personal. He sent more than 10,000 letters to the families of fallen troops, and he memorialized those who died from North Carolina's Camp Lejeune with photos outside his office, all of this demonstrating his genuine dedication to those who serve.

Mr. Speaker, I urge my colleagues to join in support of this resolution so that Walter's memory can be honored in Farmville, a community he loved dearly and served tirelessly.

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

I rise in support of this legislation, H.R. 5037.

Walter Jones was not just a colleague; he was a friend. For many of us in this Chamber, we can remember when he sat just off the center aisle there, just a few rows back from the front. He was consistently there and consistently a voice, as my friend from North Carolina (Mr. PRICE) just said, of those who had fallen in the ultimate fight for freedom and liberty. Many of us have pictures outside of our congressional offices recognizing those who have fallen in their fight for liberty in the armed services, and that is due in no small part to our good friend, Mr. Walter Jones.

Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. MURPHY), who is carrying on that legacy in his congressional district.

Mr. MURPHY of North Carolina. Mr. Speaker, I rise today in support of H.R. 5037, which is a tribute to my predecessor, friend, and mentor, Congressman Walter B. Jones. Sadly, he passed away while serving diligently in his office nearly a year ago.

This legislation would designate the post office in his hometown of Farmville, North Carolina, as the Walter B. Jones, Jr. Post Office.

He was the son of Walter B. Jones, Sr., and Doris Long. A devoted public servant, a man of great faith, and a proud American, Walter put the people and the needs of North Carolina's Third District first.

I knew Walter first as a patient, who then became a dear friend and then became a political mentor. His passing was a loss for our State, our Nation, and for all who knew him and loved him.

In part due to his own service in the military, Walter cared deeply about the brave men and women who served our country. After attending Hargrave Military Academy in Virginia, Walter graduated from Atlantic Christian College in 1966 and went on to serve in the North Carolina National Guard for 4 years.

After serving for 10 years in the North Carolina House, he was elected to the United States House of Representatives in 1995, where he would spend the remaining 24 years of his life diligently serving the people of North Carolina's Third Congressional District.

He worked tirelessly to ensure that he was always available to his constituents and saw that they received assistance whenever they needed it, particularly with the VA and healthcare benefits.

Both in our Nation's Capitol and in eastern North Carolina, Walter was known for his humility and kindheartedness. In fact, Walter was voted the nicest Member of Congress in 2004 in a survey conducted by the Washingtonian among top Capitol Hill staffers.

Of course, Walter was known for his vigorous support of our military and particularly thousands of marines based in eastern North Carolina at Camp Lejeune and Marine Corps air stations in Cherry Point as well as New River, along with FRC East.

As a member of the Armed Services Committee, he began a letter-writing campaign, ultimately sending over 11,000 letters of condolences to families and extended family members of fallen soldiers. Outside of his office—and now my office—are hundreds of photos of those who have fallen for the freedom of this Nation.

This was the kind of man he was: admirable, selfless, and caring.

Additionally, some of Walter's greatest achievements while serving in Congress included the work to ensure autistic children of military families received a proper education. He also advocated for the use of hyperbaric oxygen therapy to treat veterans with traumatic brain injury and to protect the beautiful wild horses on Shackleford Banks and North Carolina's beaches. He had compassion and respect for these beautiful animals on the eastern shores.

Walter left behind a legacy that epitomized what we all should aspire to be as a public servant. So it is my privilege to introduce this bill honoring such a great American like Walter Jones.

Mr. Speaker, I would like to thank the entire North Carolina delegation for joining as original cosponsors of this piece of legislation, and I urge Members to adopt H.R. 5037, which would permanently name the post office after him in Farmville.

□ 1645

Mrs. LAWRENCE. Mr. Speaker, I yield 2 minutes to the gentleman from the great State of North Carolina (Mr. BUTTERFIELD), my colleague.

Mr. BUTTERFIELD. Mr. Speaker, I thank the gentlewoman for yielding me the time and for her leadership and willingness to give time on this very important bill.

I thank my colleagues, Congressman GREG MURPHY and Congressman MARK MEADOWS, for advancing this bill. I remember how well-connected they were to Walter B. Jones, Jr.—both of them—and I thank them for this legislation.

It is my honor to join with Congressman GREG MURPHY in cosponsoring this legislation, and so I support H.R. 5037.

Congressman Walter B. Jones, Jr., was a devoted man of great faith. He was my personal friend, Mr. Speaker, for more than 40 years.

My colleagues will recall that, as Walter was beginning to decline in health, he was unable to come to the floor to have the oath of office administered to him, and Walter asked that I come to his home. The Speaker of the House authorized me to do so, and I went to his living room that day and administered the final oath of office to him. He was so appreciative, and we had a wonderful conversation that I shall never ever forget.

Walter Jones was a lifetime public servant, serving in the National Guard for 4 years, in our general assembly for 10 years, and here in Congress for 24 long years as Representative of the Third Congressional District.

Since I joined Congress in 2004, I watched Walter cast many difficult votes with conviction. I would sit right here to my left, and Walter would come by and, in his own way, he would say, ''Mr. Chairman,'' and we would have a wonderful laugh about that. But he would stand firm in what he believed was right for his constituents and the American people.

Although Walter is no longer with us, he left an indelible mark on eastern North Carolina. He left a mark on this House and the Nation. Mr. Speaker, I call on my colleagues to join me in honoring Walter Jones.

I was particularly moved that so many of our colleagues traveled by military aircraft as we went to his funeral that day. The Speaker of the House authorized the airplane, and we flew down to Greenville that day.

The airplane was full of colleagues in a bipartisan manner. Democrats and Republicans both attended the funeral. And it was bicameral. You may remember that Senator Byrne and Senator TILLIS were there as well.

So I thank them very much for honoring this great man.

And to the Jones family, to Joe Ann and Ashley, may God bless you, and may we keep the memory of Walter B. Jones, Jr., alive.

Mr. MEADOWS. Mr. Speaker, all of us have come together to give a little bit of what we got in big doses, and that was compassion and care from a man who was not only strongest in his convictions, but resolute in those convictions as well.

So I rise in support. I appreciate my colleagues opposite for their support of this. I appreciate Congressman MURPHY for his leadership as well, and I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I stand here today just always in awe of the history of this House and those who have served, knowing personally the sacrifices and the skill set that is needed to be successful. To be able to honor one of our own is something that I support.

Mr. Speaker, I urge the passage of H.R. 5037, and I yield back the balance of my time.

Mr. HUDSON. Mr. Speaker, I rise today to honor the life and legacy of Representative Walter B. Jones, Jr., a fierce champion for North Carolina, a diligent public servant, and a personal friend to many across this body.

Representative Jones passed away on February 10, 2019, his 76th birthday. He worked tirelessly on behalf of our great state and served four years in the North Carolina National Guard, ten years in the North Carolina General Assembly, and was a member of the House of Representatives for over three decades.

A man of profound integrity, Representative Jones fought each and every day for what he believed was right. From championing our men and women in uniform to protecting our coastline, he was always a steadfast voice for the people of eastern North Carolina.

Today I am proud to join the North Carolina Congressional Delegation in supporting H.R. 5037, to designate a facility of the United States Postal Service as the ''Walter B. Jones, Jr. Post Office,'' located in his hometown of Farmville, North Carolina.

Mr. Speaker, please join me today in honoring the life and legacy of Representative Walter B. Jones, Jr.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. LAWRENCE) that the House suspend the rules and pass the bill, H.R. 5037.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SCIPIO A. JONES POST OFFICE PORTRAIT

Mrs. LAWRENCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3317) to permit the Scipio A. Jones Post Office in Little Rock, Arkansas, to accept and display a portrait of Scipio A. Jones, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3317

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SCIPIO A. JONES POST OFFICE PORTRAIT.

(a) IN GENERAL.—The postmaster of the Scipio A. Jones Post Office, located at 1700 Main Street in Little Rock, Arkansas, may accept and display, in the lobby of such Post Office, a painting, by artist Wade Hampton, of a portrait of Scipio A. Jones.

(b) COSTS; GIFTS.—The United States Postal Service shall not be responsible for any costs of carrying out subsection (a), including the costs of displaying the painting. The postmaster referred to in such subsection is authorized to accept on behalf of the Government the painting and any services necessary to display the painting.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. LAWRENCE) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this matter.

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

There was no objection.

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

Mr. Speaker, I am pleased to join my colleagues in consideration of H.R. 3317, to permit the Scipio A. Jones Post Office in Little Rock, Arkansas, to accept and display a portrait of Scipio A. Jones.

Mr. Speaker, I thank Representative FRENCH HILL for introducing the measure to honor this civil rights icon.

Scipio Jones was born in 1863 near Tulip, Arkansas. He would later argue two civil rights cases before the Arkansas Supreme Court.

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

Mr. MEADOWS. Mr. Speaker, I rise in support of H.R. 3317, introduced by my good friend, Representative FRENCH HILL.

Mr. Speaker, I yield as much time as he may consume to the gentleman from Arkansas (Mr. HILL).

Mr. HILL of Arkansas. Mr. Speaker, I thank my good friend from North Carolina. I thank him particularly for his help in shepherding this bill through the committee.

I am grateful, too, to our late, good friend Elijah Cummings for his support and the opportunity to thank him on the floor for his service in the House.

Also, I thank my good friend from Michigan (Mrs. LAWRENCE) for her support of this measure.

Mr. Speaker, in 1919, American doughboys returning from the European front and its brutality were committed to benefiting from the opportunity and liberty they secured at great risk and sacrifice to themselves. Many took that commitment to autonomy and freedom home to small towns and communities and homesteads where their families and livelihoods remained.

Just over 100 years ago, as September bled over into October in 1919, few eyes in this country were turned to a small agrarian community in northeast Arkansas. There, Black sharecroppers, spurred in part by the tales of opportunity and liberty spun by these returning brave veterans of the war to end all wars, dared to discuss fair pay for their crops.

To this day, an accurate account of the tragic loss of life that took place during the Elaine massacre, when White mobs killed more than 100 African Americans, remains widely unknown.

But one of the heroic stories that emerged from the ashes of the Elaine massacre was that of Scipio Africanus Jones, one of the great lawyers in Arkansas history. Jones' skillful legal defense saved the lives of 12 unfairly charged sharecroppers from the Elaine massacre who were originally sentenced to death by an Arkansas State court.

Jones' actions resulted in the landmark Supreme Court decision in Moore v. Dempsey, establishing that Federal courts could review criminal convictions in State courts under the Due Process Clause of the Fourteenth Amendment.

Mr. Speaker, I am pleased that this legislation today that I have sponsored to honor his legacy, the Scipio A. Jones Post Office Portrait Act, is being considered on the House floor.

Today's measure is a simple one. It authorizes a portrait of Scipio Jones to be displayed at the U.S. Post Office in Little Rock, Arkansas, that bears his name. It has the support of the entire Arkansas delegation.

Scipio Jones' fight for civil rights and equality is an important part of Arkansas' history and something that we are deeply proud of in our State.

The Elaine massacre had a profound impact on the soul of our State that can be felt a century later. However, history always teaches us that we can learn from our past. We have an opportunity, today, with this legislation, to write a new chapter on Arkansas history that recognizes the legacy of the tragedy, honors the victims, and seeks to heal longstanding wounds. I am delighted to draft and sponsor this bill that helps accomplish that goal.

Our friend from North Carolina, the late Elijah Cummings, I am grateful for their help and the staff of the Committee on Oversight and Reform. I appreciate it for the quick markup, and I am grateful for the support.

Mr. Speaker, I urge this measure's passage.

Mr. MEADOWS. Mr. Speaker, I urge the bill's passage, and I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Speaker, I urge support for the passage of H.R. 3317, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. LAWRENCE) that the House suspend the rules and pass the bill, H.R. 3317.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MELINDA GENE PICCOTTI POST OFFICE

Mrs. LAWRENCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4279) to designate the facility of the United States Postal Service located at 445 Main Street in Laceyville, Pennsylvania, as the ''Melinda Gene Piccotti Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4279

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MELINDA GENE PICCOTTI POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 445 Main Street in Laceyville, Pennsylvania, shall be known and designated as the ''Melinda Gene Piccotti Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Melinda Gene Piccotti Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Michigan (Mrs. LAWRENCE) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Michigan.

GENERAL LEAVE

Mrs. LAWRENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on this measure.

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

There was no objection.

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

Mr. Speaker, I am pleased to join my colleagues in consideration of H.R. 4279, to designate the facility of the United States Postal Service located at 445 Main Street in Laceyville, Pennsylvania, as the Melinda Gene Piccotti Post Office.

I thank FRED KELLER, a distinguished member of the Committee on Oversight and Reform, for this measure to honor a distinguished military veteran.

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

Mr. MEADOWS. Mr. Speaker, I rise in support of H.R. 4279, introduced by Representative FRED KELLER. Certainly, his leadership on this is to be applauded.

I also thank the gentlewoman from Michigan (Mrs. LAWRENCE) for her willingness to not only lead on this, but manage the floor for Chairwoman MALONEY.

Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. KELLER).

Mr. KELLER. Mr. Speaker, I thank the gentleman from North Carolina.

Mr. Speaker, I rise today to urge my colleagues to support H.R. 4279, to name the post office in Laceyville, Wyoming County, Pennsylvania, after Melinda Gene Piccotti.

A native of Pennsylvania's 12th Congressional District, Mindy was an Air Force veteran who knew the struggles of combat veterans and wounded soldiers. She knew the struggles they faced when returning home from duty.

Starting in 2009, at the age of 60, Mindy highlighted her commitment to our Nation's Armed Forces by founding Hunts for Healing, based out of Laceyville.

Mindy founded Hunts for Healing to help wounded soldiers returning from military missions in Iraq, Afghanistan, and other combat missions transition back into civilian life, allowing them to experience the joys of hunting, including social interaction and camaraderie.

With the assistance of volunteer guides and funded entirely by private donations, Hunts for Healing helps veterans in need of physical, spiritual, and emotional support. In Laceyville, to the veterans she has helped and their families and loved ones, Mindy is nothing short of a hero.

For the impact of her life and for her continued legacy to the veterans' community, I urge members to support H.R. 4279 to name the post office in Laceyville, Pennsylvania, for Melinda Gene Piccotti.

□ 1700

Mr. MEADOWS. Mr. Speaker, I urge adoption, and I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the gentleman from North Carolina controls the time of the gentlewoman from Michigan.

There was no objection.

Mr. PRICE of North Carolina. Mr. Speaker, I, too, urge passage of H.R. 4279, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Michigan (Mrs. LAWRENCE) that the House suspend the rules and pass the bill, H.R. 4279.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Proceedings will resume on questions previously postponed. Votes will be taken in the following order:

Motions to suspend the rules and pass:

H.R. 4044;

H.R. 4031; and

H.R. 2382.

The first electronic vote will be conducted as a 15-minute vote. Pursuant to clause 9 of rule XX, remaining electronic votes will be conducted as 5-minute votes.

PROTECT AND RESTORE AMERICA'S ESTUARIES ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4044) to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. MALINOWSKI) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 355, nays 62, not voting 12, as follows:

[Roll No. 35]

YEAS—355

Abraham
Adams
Aderholt
Aguilar
Allred
Amodei
Axne
Bacon
Balderson
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady
Brindisi
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Collins (GA)
Conaway
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar
Cunningham
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Dunn
Engel
Eshoo
Espaillat
Evans
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Flores
Fortenberry
Frankel
Fudge
Fulcher
Gaetz
Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Gibbs
Golden
Gomez
Gonzalez (OH)
Gonzalez (TX)
Gottheimer
Granger
Graves (LA)
Graves (MO)
Green, Al (TX)
Griffith
Grijalva
Guthrie
Haaland
Hagedorn
Harder (CA)
Hartzler
Hastings
Hayes
Heck
Herrera Beutler
Higgins (LA)
Higgins (NY)
Hill (AR)
Himes
Hollingsworth
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Huizenga
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Johnson (TX)
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Keller
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (NY)
Kinzinger
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marshall
Mast
Matsui
McAdams
McBath
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinley
McNerney
Meeks
Meng
Miller
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mucarsel-Powell
Mullin
Murphy (FL)
Murphy (NC)
Nadler
Napolitano
Neal
Neguse
Newhouse
Norcross
Nunes
O'Halleran
Olson
Omar
Palazzo
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Posey
Pressley
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reschenthaler
Richmond
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose (NY)
Rose, John W.
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Shimkus
Simpson
Sires
Slotkin
Smith (NJ)
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stauber
Stefanik
Steil
Steube
Stevens
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Timmons
Tipton
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Turner
Underwood
Upton
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Waltz
Wasserman Schultz
Waters
Watkins
Watson Coleman
Welch
Wenstrup
Westerman
Wexton
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Young
Zeldin

NAYS—62

Allen
Amash
Armstrong
Arrington
Babin
Baird
Banks
Biggs
Bishop (NC)
Bishop (UT)
Brooks (AL)
Buck
Budd
Burchett
Cheney
Cline
Cloud
Comer
Curtis
Davidson (OH)
DesJarlais
Duncan
Emmer
Estes
Foxx (NC)
Gianforte
Gohmert
Gooden
Gosar
Graves (GA)
Green (TN)
Grothman
Guest
Harris
Hern, Kevin
Hice (GA)
Holding
Hudson
Joyce (PA)
King (IA)
LaMalfa
Lesko
Loudermilk
Massie
McClintock
Meadows
Norman
Palmer
Pence
Perry
Rice (SC)
Riggleman
Rouzer
Roy
Sensenbrenner
Smith (MO)
Smith (NE)
Spano
Taylor
Walker
Weber (TX)
Wright

NOT VOTING—12

Cleaver
Davids (KS)
Escobar
Foster
Gabbard
Kirkpatrick
Meuser
Ocasio-Cortez
Rice (NY)
Smucker
Webster (FL)
Yoho

□ 1730

Messrs. MEADOWS, JOYCE of Pennsylvania, KEVIN HERN of Oklahoma, COMER, PALMER, and WEBER of Texas changed their vote from ''yea'' to ''nay.''

Messrs. GUTHRIE, GAETZ, and WILSON of South Carolina changed their vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GREAT LAKES RESTORATION INITIATIVE ACT OF 2019

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4031) to amend the Federal

Water Pollution Control Act to reauthorize the Great Lakes Restoration Initiative, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 373, nays 45, not voting 11, as follows:

[Roll No. 36]

YEAS—373

Abraham
Adams
Aderholt
Aguilar
Allred
Amodei
Axne
Bacon
Baird
Balderson
Banks
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady
Brindisi
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Collins (GA)
Comer
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar
Cunningham
Curtis
Davidson (OH)
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Dunn
Emmer
Engel
Eshoo
Espaillat
Evans
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Flores
Fortenberry
Frankel
Fudge
Fulcher
Gaetz
Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Gibbs
Gohmert
Golden
Gomez
Gonzalez (OH)
Gonzalez (TX)
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al (TX)
Griffith
Grijalva
Grothman
Guest
Guthrie
Haaland
Hagedorn
Harder (CA)
Hartzler
Hastings
Hayes
Heck
Herrera Beutler
Higgins (LA)
Higgins (NY)
Hill (AR)
Himes
Holding
Hollingsworth
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Huizenga
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (OH)
Johnson (SD)
Johnson (TX)
Jordan
Joyce (OH)
Joyce (PA)
Kaptur
Katko
Keating
Keller
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (IA)
King (NY)
Kinzinger
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Mast
Matsui
McAdams
McBath
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinley
McNerney
Meadows
Meeks
Meng
Miller
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mucarsel-Powell
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newhouse
Norcross
Nunes
O'Halleran
Ocasio-Cortez
Olson
Omar
Palazzo
Pallone
Panetta
Pappas
Pascrell
Payne
Pence
Perlmutter
Perry
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Posey
Pressley
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reschenthaler
Richmond
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rooney (FL)
Rose (NY)
Rose, John W.
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Shimkus
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Soto
Spanberger
Spano
Speier
Stanton
Stauber
Stefanik
Steil
Stevens
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Timmons
Tipton
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Turner
Underwood
Upton
Van Drew
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Waltz
Wasserman Schultz
Waters
Watson Coleman
Welch
Wenstrup
Westerman
Wexton
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Young
Zeldin

NAYS—45

Allen
Amash
Armstrong
Arrington
Babin
Biggs
Bishop (NC)
Brooks (AL)
Buck
Budd
Burchett
Byrne
Cline
Cloud
Conaway
Duncan
Estes
Foxx (NC)
Gianforte
Gooden
Green (TN)
Harris
Hern, Kevin
Hice (GA)
Hudson
Johnson (LA)
LaMalfa
Lesko
Loudermilk
Marchant
Marshall
Massie
McClintock
Murphy (NC)
Norman
Palmer
Rice (SC)
Rouzer
Roy
Steube
Taylor
Walker
Watkins
Weber (TX)
Wright

NOT VOTING—11

Cleaver
Davids (KS)
Escobar
Foster
Gabbard
Kirkpatrick
Meuser
Rice (NY)
Smucker
Webster (FL)
Yoho

□ 1739

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

USPS FAIRNESS ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2382) to amend title 5, United States Code, to repeal the requirement that the United States Postal Service prepay future retirement benefits, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 309, nays 106, not voting 14, as follows:

[Roll No. 37]

YEAS—309

Adams
Aguilar
Allred
Amodei
Armstrong
Axne
Bacon
Balderson
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brindisi
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Burchett
Bustos
Butterfield
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Cheney
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Collins (GA)
Connolly
Cook
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davis (CA)
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Dunn
Emmer
Engel
Eshoo
Espaillat
Estes
Evans
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Fortenberry
Frankel
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Gianforte
Gibbs
Golden
Gomez
Gonzalez (OH)
Gonzalez (TX)
Gottheimer
Graves (MO)
Green, Al (TX)
Griffith
Grijalva
Haaland
Hagedorn
Harder (CA)
Hartzler
Hastings
Hayes
Heck
Herrera Beutler
Higgins (NY)
Himes
Holding
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (OH)
Johnson (TX)
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
King (IA)
King (NY)
Kinzinger
Krishnamoorthi
Kuster (NH)
LaHood
LaMalfa
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Lofgren
Lowenthal
Lowey
Lucas
Luetkemeyer
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marshall
Mast
Matsui
McAdams
McBath
McCaul
McCollum
McEachin
McGovern
McKinley
McNerney
Meeks
Meng
Miller
Moolenaar
Moore
Morelle
Moulton
Mucarsel-Powell
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newhouse
Norcross
Nunes
O'Halleran
Ocasio-Cortez
Olson
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Reed
Reschenthaler
Richmond
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose (NY)
Rouda
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff

Schneider	Stauber	Van Drew
Schrader	Stefanik	Vargas
Schrier	Stevens	Veasey
Scott (VA)	Stivers	Velázquez
Scott, Austin	Suozzi	Visclosky
Scott, David	Swalwell (CA)	Wagner
Serrano	Takano	Walden
Sewell (AL)	Thompson (CA)	Waltz
Shalala	Thompson (MS)	Wasserman Schultz
Sherman	Thompson (PA)	Waters
Sherrill	Tipton	Watkins
Shimkus	Titus	Watson Coleman
Simpson	Tlaib	Welch
Sires	Tonko	Wexton
Slotkin	Torres (CA)	Wild
Smith (NE)	Torres Small (NM)	Wilson (FL)
Smith (NJ)	Trahan	Wilson (SC)
Smith (WA)	Trone	Yarmuth
Soto	Turner	Young
Spanberger	Underwood	Zeldin
Speier	Upton	
Stanton		

NAYS—106

Abraham	Gosar	Murphy (NC)
Aderholt	Granger	Norman
Allen	Graves (GA)	Palazzo
Amash	Graves (LA)	Palmer
Arrington	Green (TN)	Pence
Babin	Grothman	Perry
Baird	Guest	Posey
Banks	Guthrie	Ratcliffe
Barr	Harris	Rice (SC)
Biggs	Hern, Kevin	Rooney (FL)
Bishop (NC)	Hice (GA)	Rose, John W.
Brady	Higgins (LA)	Roy
Brooks (AL)	Hill (AR)	Scalise
Buck	Holding	Schweikert
Budd	Hollingsworth	Sensenbrenner
Burgess	Hudson	Smith (MO)
Byrne	Huizenga	Spano
Carter (TX)	Johnson (LA)	Steil
Chabot	Johnson (SD)	Steube
Cline	Jordan	Stewart
Cloud	Joyce (PA)	Taylor
Comer	Keller	Thornberry
Conaway	Kelly (MS)	Timmons
Crawford	Kustoff (TN)	Walberg
Crenshaw	Lamborn	Walker
Curtis	Latta	Walorski
Davidson (OH)	Lesko	Weber (TX)
DesJarlais	Long	Wenstrup
Duncan	Loudermilk	Westerman
Ferguson	Massie	Williams
Flores	McCarthy	Wittman
Foxx (NC)	McClintock	Womack
Fulcher	McHenry	Woodall
Gaetz	Meadows	Wright
Gallagher	Mitchell	
Gooden	Mooney (WV)	

NOT VOTING—14

Cleaver	Gohmert	Smucker
Davids (KS)	Kirkpatrick	Vela
Escobar	Loebsack	Webster (FL)
Foster	Meuser	Yoho
Gabbard	Rice (NY)	

□ 1748

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. KIRKPATRICK. Mr. Speaker, I was absent today due to a medical emergency. Had I been present, I would have voted: "yea" on rollcall No. 35, "yea" on rollcall No. 36, and "yea" on rollcall No. 37.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. RES. 826, EXPRESSING DISAPPROVAL OF THE TRUMP ADMINISTRATION'S HARMFUL ACTIONS TOWARDS MEDICAID; PROVIDING FOR CONSIDERATION OF H.R. 2474, PROTECTING THE RIGHT TO ORGANIZE ACT OF 2019; AND PROVIDING FOR CONSIDERATION OF H.R. 5687, EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF AND PUERTO RICO DISASTER TAX RELIEF ACT, 2020

Mr. DESAULNIER, from the Committee on Rules, submitted a privileged report (Rept. No. 116–392) on the resolution (H. Res. 833) providing for consideration of the resolution (H. Res. 826) expressing disapproval of the Trump administration's harmful actions towards Medicaid; providing for consideration of the bill (H.R. 2474) to amend the National Labor Relations Act, the Labor Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act of 1959, and for other purposes; and providing for consideration of the bill (H.R. 5687) making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes, which was referred to the House Calendar and ordered to be printed.

MAKING A TECHNICAL CORRECTION TO THE SFC SEAN COOLEY AND SPC CHRISTOPHER HORTON CONGRESSIONAL GOLD STAR FAMILY FELLOWSHIP PROGRAM ACT

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Resolution 812, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

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

There was no objection.

The text of the resolution is as follows:

H. RES. 812

Resolved, That section 2(d) of House Resolution 107 (agreed to October 29, 2019) is amended by striking ''or sibling of'' and inserting ''parent, or sibling of''.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REAPPOINTING JOHN FAHEY AS CITIZEN REGENT OF BOARD OF REGENTS OF SMITHSONIAN INSTITUTION

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the joint resolution (S.J. Res. 65) providing for the reappointment of John Fahey as a citizen regent of the Board of Regents of the Smithsonian Institution, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 65

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of John Fahey of Massachusetts on February 20, 2020, is filled by the reappointment of the incumbent. The reappointment is for a term of six years, beginning on the later of February 20, 2020, or the date of the enactment of this joint resolution.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REAPPOINTING RISA LAVIZZO-MOUREY AS CITIZEN REGENT OF BOARD OF REGENTS OF SMITHSONIAN INSTITUTION

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the joint resolution (S.J. Res. 67) providing for the reappointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

There was no objection.

The text of the joint resolution is as follows:

S.J. RES. 67

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Risa Lavizzo-Mourey of Pennsylvania on February 21, 2020, is filled by the reappointment of the incumbent. The reappointment is for a term of six years, beginning on the later of February 21, 2020, or the date of enactment of this joint resolution.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Secretary be directed to communicate to the Secretary of State, as

provided by rule XXIII of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials, and also to the House of Representatives, the judgment of the Senate in the Case of Donald John Trump, and transmit a certified copy of the judgment to each.

JUDGMENT

The Senate having tried Donald John Trump, President of the United States, upon two Articles of Impeachment exhibited against him by the House of Representatives, and two-thirds of the Senators present not having found him guilty of the charges contained therein: It is, therefore,

Ordered and adjudged, That the said Donald John Trump be, and he is hereby, acquitted of the charges in said articles.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.J. RES. 25

Mr. SPANO. Mr. Speaker, I ask unanimous consent to be removed as cosponsor of H.J. Res. 25.

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

There was no objection.

NATIONAL GUN VIOLENCE SURVIVORS WEEK

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

Mr. LANGEVIN. Mr. Speaker, I rise to recognize National Gun Violence Survivors Week and the countless Americans whose lives have been impacted by gun violence across the country.

This issue is personal to me, as it is for so many others. When I was 16 years old, as a young police cadet, an accidental gunshot left me paralyzed.

Last week, I had the honor of spending time with former Congresswoman Gabby Giffords, our colleague, in my home State of Rhode Island. Gabby's life was forever changed by a gunman in 2011, but she never stopped fighting. She spoke of the courage it takes to stop gun violence, courage that she embodies every single day.

So, to the parents, children, students, teachers, and countless others who have lost loved ones to gun violence or faced gun violence themselves, I encourage you to keep fighting.

Together, we can reform our gun laws and keep guns out of the wrong hands and save others from tragedy.

OFFICIAL COPY OF PRESIDENT'S STATE OF THE UNION ADDRESS

(Mr. MCCARTHY asked and was given permission to address the House for 1 minute.)

Mr. MCCARTHY. Mr. Speaker, we heard a great speech by the President last night, who spoke to the strength of our country and the courage and character of our fellow citizens:

People like 100-year-old Tuskegee airman Retired Brigadier General Charles McGee and his great-grandson, the 13-year-old who dreams of going to space;

People like single mother Stephanie Davis and her lovely fourth grade daughter who received an Opportunity Scholarship. Who in this room does not remember the look on Stephanie's face as she realized that her daughter was going to get an opportunity that she sacrificed so greatly for;

And people like Sergeant First Class Townsend Williams, who surprised his wife, Amy, and two beautiful children in the gallery last night.

As I looked around, I saw tears in many people's eyes from the emotion that they felt at that time.

Unfortunately, Speaker PELOSI was unmoved and chose to tear up the House copy of that speech. She had no right to destroy this document, especially one filled with such impactful stories of American patriots.

The record was presented before the people's House and it belongs to the American people. That is why I am here today.

In my hand, I have an official copy of the President's State of the Union address signed by the President, given to me at the White House today. It will be delivered to the House Clerk to be archived and preserved for posterity, whether she likes it or not.

These great American stories will be remembered by history, not erased by the Speaker. We are better because of them, and we should learn from them and we should be proud that they will shape our future.

□ 1800

REACTION TO PRESIDENT'S STATE OF THE UNION ADDRESS

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

Mr. HOYER. Mr. Speaker, obviously, each of us had our own reaction to the speech that was given by the President last night. He had every right under the First Amendment to say what he believed, what he was going to do, and what he wanted us to do.

I suggest to you that if I took this card and tore it up because I didn't like what was on the card, I am protected by the First Amendment in doing that. That is a form of speech. If the effort is to shut one another up, perhaps we will go down that road.

But, clearly, most of you in this House, or at least some of you in this House, have said an act of destroying things that the leader alleges are property of the House—I will ask for a ruling on that, Mr. Speaker, in just a minute—but is an act of disagreement.

It is not an assertion, per se, that what was said was wrong, disagreed with, or anything else. It was not an outcry to the President of the United States that ''You lie'' that clearly undermined the decorum of this House.

Frankly, I did not see the Speaker tear that up. I have seen it on television. It has been played, but I would suggest to you very seriously—well, whether anyone saw it or not, that is not my argument. My argument is, if each of us watches closely on the floor each of our actions and we deem those actions to be disrespectful, either to the Speaker, that is, the Speaker at the rostrum or from the microphones behind the desk, do we bring a resolution that that was disrespectful?

Each of you who say ''yes,'' well, I will watch very closely, and we will go back and forth, and that will not be a good precedent because it will undermine the premise of the First Amendment that action is speech.

Now, an action that is criminal, an action that defames, an action that brings the House into disrepute, that is another issue. But an action which says: ''I feel this way'' should be protected. Now, not necessarily agreed with, maybe even subject to criticism, but certainly, not subject to a resolution.

This resolution will not go forward, of course, because I will move to table it if it is offered because I believe it undermines the First Amendment and the House.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Ms. GRANGER. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I seek recognition to give notice of my intent to raise a question of the privileges of the House.

The form of the resolution is as follows:

House Resolution 832.

Whereas on December 20th, 2019, Speaker PELOSI extended an invitation for President Trump to address a joint session of Congress on February 4th, 2020;

Whereas on February 4th, 2020, President Trump delivered his State of the Union address, in which he honored the sacrifice of the following American heroes and their families:

General Charles McGee, one of the last surviving Tuskegee airmen, who served in World War II, the Korean war and the Vietnam war;

Kayla Mueller, a humanitarian aid worker who was caring for suffering civilians in Syria when she was kidnapped, tortured and enslaved by ISIS for over 500 days before being murdered by ISIS leader Abu Bakr al-Baghdadi;

Army Staff Sergeant Christopher Hake, who was killed while serving his second tour of duty in Iraq by a roadside bomb supplied by Iranian terrorist leader Qasem Soleimani;

Sergeant First Class Townsend Williams, who is currently serving his fourth deployment in the Middle East

and his wife, Amy, who works full-time for the Army and devotes hundreds of hours helping military families;

Whereas immediately following the address, while still presiding over the joint session, Speaker PELOSI ripped up an official copy of the President's remarks, which contained the names and stories of these patriots who sacrificed so much for our country; and

Whereas the conduct of Speaker PELOSI was a breach of decorum and degraded the proceedings of the joint session, to the discredit of the House: Now, therefore, be it

Resolved, That the House of Representatives disapproves of the behavior of Speaker PELOSI during the joint session of Congress held on February 4, 2020.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentlewoman from Texas will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

PARLIAMENTARY INQUIRIES

Mr. HOYER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Maryland will state his parliamentary inquiry.

Mr. HOYER. Mr. Speaker, the majority leader asserted in his comments that the document in question was the property of the House.

Was, in fact, the document that the Speaker had to read the property of the House?

The SPEAKER pro tempore. The message is part of the proceedings of the House and can be used by the House for archival and printing purposes.

Mr. HOYER. Mr. Speaker, an additional question.

Mr. Speaker, after the President had spoken the State of the Union and delivered that to the Congress of the United States, at the end of that session, I moved that that document be enrolled in the House proceedings of last evening.

Am I to understand from the ruling that that document was specifically the document that would have been enrolled?

The SPEAKER pro tempore. The motion was adopted.

Mr. HOYER. Yes.

The SPEAKER pro tempore. And the document was printed.

Mr. HOYER. That document did not exist according to the assertion of the Republican leader. It was destroyed.

The SPEAKER pro tempore. The message is part of the proceedings of the House and can be used by the House for archival and printing purposes. The gentleman has addressed the printing of the document.

Mr. HOYER. Mr. Speaker, I don't think that answered my question.

My question was: Was the document that was destroyed or torn apart, the document that was to be enrolled by the House pursuant to my motion?

The SPEAKER pro tempore. The House is able to use that document and other materials to fulfill the order of the House.

Mr. MCCARTHY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from California will state his parliamentary inquiry.

Mr. MCCARTHY. Mr. Speaker, to clarify, was that document provided from the President to the Speaker of the House a document of the House?

The SPEAKER pro tempore. It is part of the proceedings of the House and can be used by the House for archival and printing purposes.

Mr. MCCARTHY. So to be clear, your answer is: That is a document of the House, and the President provides one to the Speaker for the House, and the President provides one to the President of the Senate, the Vice President, for the Senate?

The SPEAKER pro tempore. The document was printed as a document of the House upon order of the House.

Mr. MCCARTHY. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from California will state his parliamentary inquiry.

Mr. MCCARTHY. Mr. Speaker, is it allowed to destroy a document of the House?

The SPEAKER pro tempore. The Chair will not provide an advisory opinion. The Chair is not going to give advisory opinions.

Mr. MCCARTHY. But to be clear, it is a document of the House, much like any historical document that has been provided to the floor of this House.

The SPEAKER pro tempore. The gentleman is engaged in debate, and the gentleman is free to engage in debate on the resolution at the appropriate time.

Mr. HOYER. Mr. Speaker, the resolution is not on the floor, I don't think.

Mr. MCCARTHY. Mr. Speaker, no, the gentleman is correct. It was her intention.

The SPEAKER pro tempore. Who seeks recognition?

Mr. HOYER. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Maryland will state his parliamentary inquiry.

Mr. HOYER. Mr. Speaker, I ask for clarification. Obviously, the Parliamentarian—I think we ought to clarify this issue.

If the document has been torn apart as is alleged, and as we know it was, that document, presumably, is not the document that was enrolled by the House pursuant to my motion last night.

I know it is not in the possession of the House. I know that for a fact. But there is, pursuant to my motion, a document that has been enrolled, the President's address in the State of the Union.

So I simply want to make the point to the Parliamentarian and to the Speaker, that the document that—I have been here for a long period of time. Numerous times, numerous times, I have had in this drawer a copy of the President's speech that is delivered by the communication staff of the White House.

Mr. Speaker, is that to be presumed——

The SPEAKER pro tempore. Respectfully, the gentleman is engaged in debate. This issue is more properly addressed in the format of 1-minute speeches.

Mr. MCCARTHY. Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from California will state his parliamentary inquiry.

Mr. MCCARTHY. Mr. Speaker, you clarified that is a document of the House. Can you clarify that is not a document for the Speaker, but a document for the House?

The SPEAKER pro tempore. The document is used as part of House proceedings and can be used for archival and printing purposes.

Mr. MCCARTHY. Further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from California will his state his parliamentary inquiry.

Mr. MCCARTHY. Did the Speaker have any history in past State of the Unions where that document provided to the Speaker has not been enshrined into the RECORD?

The SPEAKER pro tempore. Respectfully, the Chair will not act as a historian.

Mr. BRADY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Texas will state his parliamentary inquiry.

Mr. BRADY. Mr. Speaker, in 2009, the majority leader, now Mr. HOYER, led a formal rebuke of South Carolina Representative JOE WILSON defending ''the rules of the House and enforcing the traditional decorum of the Chamber.''

At the time, Mr. HOYER said: ''This House cannot stay silent. What is at issue here is important to the House and of importance to the country.''

My parliamentary inquiry is——

The SPEAKER pro tempore. Respectfully, the gentleman is engaged in debate. The House may address this during 1-minute speeches.

Mr. BRADY. Is the Speaker of the House——

The SPEAKER pro tempore. The gentleman is engaged in debate.

Mr. BRADY. Mr. Speaker, I asked for a parliamentary inquiry, and the question is this: Is the Speaker ripping up

the President's State of the Union speech on national TV considered the proper decorum of the House?

The SPEAKER pro tempore. The Chair will not give an advisory opinion. The House may address this matter in the format of 1-minute speeches.

□ 1815

COMMEMORATING NATIONAL GUN VIOLENCE SURVIVORS WEEK

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

Ms. MUCARSEL-POWELL. Madam Speaker, getting back to the business of the people, this week is National Gun Violence Survivors Week when we honor and remember the lives that we have lost to gun violence, those whom we have loved and miss terribly, people like my father, Guido Mucarsel; Jaime Guttenberg; De'Michael Dukes; Joaquin Oliver; Tel Orfanos; Jerry Wright; and all of their loved ones who now must live with the pain forever.

The sad reality is that 58 percent of Americans or someone they know has experienced gun violence in their lifetime. The number of gun violence survivors increases in each passing day, tragedy after tragedy. The mental and emotional toll on survivors is immense, and many people are thrust into financial hardship.

These are experiences that no one chooses to endure. We must not only remember those who have died but also those who have survived and do all we can to help them in their never-ending journey toward healing.

To all of those who are remembering a loved one this week, we stand with you.

REMEMBERING BONNIE DUVALL

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

Mr. CARTER of Georgia. Madam Speaker, I rise today to remember the life of Ms. Bonnie Duvall, who passed away on January 18 at the age of 61 after a brave battle with cancer.

Ms. Duvall was known to many as the first lady of American agriculture. She was married to Mr. Zippy Duvall, the president of the American Farm Bureau, and enjoyed accompanying him to Farm Bureau events across the country. She was also the loving mother of one of my former staff members, Zellie, who was with me on my first day here at the Capitol.

Throughout her life, her dedication to the farming community made a lasting impact on agriculture in southeast Georgia, and there is no doubt that she is leaving it in a better place than she found it.

On her own farm, she used her business expertise gained at the University of Georgia to keep the books. She was named the 1982 National Young Farmer and Rancher of the Year, and she was a consistent member of the Greene County Farm Bureau Women's Committee.

Most importantly, she was an overall inspiring and genuine person who will always be remembered for her optimistic attitude. Ms. Duvall is going to be deeply missed throughout the agriculture community.

Zellie, Zippy, and the entire Duvall family are in my thoughts and prayers.

DEFEND AMERICAN HEALTHCARE SYSTEM

(Mr. O'HALLERAN asked and was given permission to address the House for 1 minute.)

Mr. O'HALLERAN. Madam Speaker, I rise today in defense of the American healthcare system.

Last week, the administration proposed a new demonstration program that would allow States to apply for block grants. These would permit States to slash funding for their Medicaid programs, reduce protections for beneficiaries, and restrict eligibility standards. A recent study by George Washington University found that these changes would also result in community health centers treating 5 million fewer patients over the next 4 years.

This is unacceptable. Federal law already gives Medicaid flexibility to change from State to State. These proposed block grants are nothing more than cuts to funding for the program.

Today, I urge my colleagues to join me in voting for a resolution condemning these proposed changes as what they are: attacks on our healthcare system and those with preexisting conditions.

HONORING RONNIE SPRINKLE

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

Mr. CLINE. Madam Speaker, I rise today to honor Sheriff Ronnie Sprinkle, who began his service as the sheriff of Botetourt County nearly two decades ago. When Ronnie was just 6 months, his father was elected as Botetourt County sheriff and held the position for 30 years, retiring in 1991. Eight years later, the junior Sprinkle followed in his dad's footsteps and was elected to the same post, which he held until retirement last month.

Save the 8 years between his father's retirement and Ronnie's election, 2020 will mark the first time since the heart of the Vietnam war that a Sprinkle has not led the Botetourt Sheriff's Office.

I want to thank Sheriff Ronnie for his years of service to our community and congratulate him on all he has accomplished during his tenure. His tireless work to secure funding for a new public safety building and jail will not be forgotten.

The risks and responsibilities that come with being a law enforcement officer are many, and I want to express my sincere gratitude to Ronnie Sprinkle for his unwavering commitment to Botetourt County and all our men and women in blue.

PASS COMPREHENSIVE GUN REFORM

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

Mr. JOHNSON of Georgia. Madam Speaker, today, I rise in recognition of National Gun Violence Survivors Week.

Last month, with the leadership of my House colleagues and Senator ELIZABETH WARREN, I was proud to introduce the Gun Violence Prevention and Community Safety Act, the most comprehensive piece of gun reform legislation this Chamber has ever seen.

We will mandate universal background checks, which will help keep guns out of the hands of those who should not have them. We will crack down on gun trafficking. And we will hold the gun industry accountable for putting profits over the safety of the American people.

I promise today to fight so that not one more American is burdened with living as a gun violence survivor because of irresponsible, outdated, and morally bankrupt Federal gun policies.

BRI FOLDS GOES PRO

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

Mr. SPANO. Madam Speaker, today, I rise to honor a talented young lady from my district.

Bri Folds, a Lakeland Christian and Auburn grad, was drafted in the fourth round of the 2020 National Woman's Soccer League draft by the North Carolina Courage.

Ms. Folds is the first player from Polk County to be drafted by the National Women's Soccer League. Folds was a two-time Lakeland Ledger Player of the Year, with 173 goals and 155 assists while at Lakeland Christian. She finished her college career ranked seventh all-time at Auburn in assists, eighth in goals, and tied for fifth in game-winning goals with nine.

I am extraordinarily proud of her dedication and drive. It is important that our community continues to invest in future generations to produce stars and leaders like Ms. Folds. Players like her will influence young girls for years to come.

I encourage all of District 15 to join me in cheering on Bri Folds when the 2020 NWSL season begins in March.

REPEAL PREFUND MANDATE ON USPS

(Ms. TORRES SMALL of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TORRES SMALL of New Mexico. Mr. Speaker, I rise in support of H.R. 2382, the USPS Fairness Act, which passed today with large bipartisan and union support. I was proud to lead this bill with my friends and colleagues, Chairman PETER DEFAZIO and Representatives BRIAN FITZPATRICK and TOM REED.

The USPS Fairness Act will repeal the mandate for the United States Postal Service to prefund future retiree health benefits. No other government agency or private business is plagued with a mandate like this. Since 2006, the prefunding mandate has wreaked havoc on USPS's finances, costing the agency $5.4 billion each year.

I represent one of the most rural districts in the Nation, and in southern New Mexico, post offices and postal workers are an integral part of our communities, connecting businesses to customers, pharmacies to patients, and families to friends spread across our vast country.

Congress created this prefunding crisis, so I am pleased the House of Representatives took the first step to solve it. I ask that the Senate take the next step with us.

HONORING CHIEF DANIEL SPIEGEL

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

Mr. VAN DREW. Mr. Speaker, I would like to honor Chief Daniel Spiegel on his retirement from the Wildwood Fire Department.

Daniel spent 28 faithful years with the fire department, where he had served as chief since 2016. Daniel has the distinct honor of holding every rank in the fire department. Daniel's father also served as fire chief in Wildwood, the second-ever father-son chief in the department's history.

Daniel served in the New Jersey Task Force 1 Urban Research and Rescue and responded to the September 11 terrorist attacks, searching for survivors. He was the team leader for the Cape May County Regional Urban Search and Rescue Team, which serves all of Cape May County.

Danny was always focused on training. He trained thousands of firefighters in our entire region.

He is planning to spend more time with his wife, daughter, and two stepsons in retirement.

I thank Daniel for his service; his community thanks him for his service; and his country thanks him for his service.

Daniel, may God bless you. You are truly one of our heroes.

FIGHT FOR JUSTICE

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

Ms. JACKSON LEE. Madam Speaker, our emerging Nation sought to be a bright light for democracy and the rule of law. This afternoon, I sat in the Senate Chamber and watched the Senate one by one announce the words guilty or not guilty: Article I, guilty 48, not guilty 52; Article II, guilty 47, not guilty 53.

I believe the presentation of the Judiciary, Oversight, Intelligence, and Foreign Affairs Committees was brilliantly presented.

I wondered whether there would be one moment for a profile in courage, one understanding that the norm of this Nation cannot tolerate what the Framers were most frightened about, which was the constitutional crime of abuse of power or having a sovereign nation interfere with our elections. Yet, there was one in Article I that made it bipartisan in the guilt, but no one in Article II.

Simply stated, now what is the answer? That this Nation no longer loves its democracy; does not stand by the rule of law; and, therefore, the person who remains in office is a king?

I believe, Madam Speaker, that we must raise the Constitution and fight for justice.

DECORUM AND MAINTAINING CIVILITY IN THE HOUSE

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

Mr. PALMER. Madam Speaker, I rise to note, in regard to the assertion of the majority leader that the act of destroying the House copy of President Trump's State of the Union speech was speech protected under the First Amendment, I rise to assert that not all speech protected under the First Amendment is allowable under the rules of the House.

Moreover, the act of destroying the House's copy of the State of the Union Address diminishes the decorum that is critical to maintaining the civility that is expected of every Member, including and especially the Speaker.

TAKE ACTION FOR GUN VIOLENCE SURVIVORS

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

Mr. LEVIN of Michigan. Madam Speaker, during National Gun Violence Survivors Week, I rise to recognize my State of the Union guest, Mary Miller-Strobel, from my hometown of Berkley, Michigan.

After her brother, Ben, was honorably discharged from the military, Mary grew concerned that Ben was at risk of self-harm. Mary and her father drove to every gun store in their small town, begging them not to sell Ben a gun. But they had no legal recourse to block a store from selling Ben the gun that would end his life. Ben died by suicide soon thereafter.

Had Mary been able to seek an extreme risk protection order, Ben might still be alive today.

Mary is now a Moms Demand Action leader and has turned her tragedy into a triumphant story of fighting to prevent other families from suffering this tremendous and preventable loss.

The House has passed commonsense gun violence legislation, and we will pass red flag legislation, too. Now, we need the Senate to act, for Mary and Ben, and for so many others.

□ 1830

SUPPORT OF U.S. POSTAL SERVICE FAIRNESS ACT

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

Ms. KAPTUR. Madam Speaker, I rise in strong support of H.R. 2382, or the U.S. Postal Service Fairness Act up for a vote today.

Madam Speaker, 13 years ago, the Postal Service was saddled by this body when we required it—not with my support—to prefund its retirement benefits. Unfortunately, this prevented the Postal Service from addressing critical equipment modernization needs. Thankfully, this legislation allows us to correct this misguided requirement.

The post office is a constitutionally mandated institution. A sense of community is sustained every time the mailwoman or mailman delivers a letter, increasing connectivity in rural and urban districts alike. The Postal Service delivers close to 190 million pieces of mail every single day and is a testament to American ingenuity. Indeed, postal workers are the best ambassadors, receiving an overwhelmingly high public approval rating of 74 percent.

While we work to ensure the post office's financial health, we must also continue to increase innovation, such as through modernizing postal services. For example, creative initiatives could increase access to basic functions in post offices and underserved communities.

I thank my friend, Representative PETER DEFAZIO, for his true leadership on this bill, and urge all my colleagues to support its passage, and thank those who did.

PROTECTING THE RIGHT TO ORGANIZE ACT

The SPEAKER pro tempore (Ms. TORRES SMALL of New Mexico). Under the Speaker's announced policy of January 3, 2019, the gentleman from Michigan (Mr. LEVIN) is recognized for 60 minutes as the designee of the majority leader.

Mr. LEVIN of Michigan. Madam Speaker, I rise today to speak about the Protecting the Right to Organize Act, a crucial piece of legislation that we will take up tomorrow on the floor of this House. It is so important that

we take up this bill because the American economy is not working for most American families.

While corporations and the wealthy continue to capture the rewards of a growing economy, working families and middle class Americans are being left behind. From 1980 to 2017, average incomes for the bottom 90 percent of households increased just 1.1 percent, while average incomes for the wealthiest 1 percent increased by 184 percent.

This inequality is not a natural product of a functioning economy. It is not all due to globalization or technology change. It is the result of policy choices that have stripped workers of the power to join together and negotiate for decent wages, benefits, and working conditions.

The Protecting the Right to Organize Act restores fairness to the economy by strengthening the Federal laws that protect workers' rights to form a union.

You know, our basic labor law, the National Labor Relations Act was passed 85 years ago in 1935. It was a core part of the New Deal. A lot of credit is due to the man for whom it is named, Senator Wagner of New York. Also, in addition to FDR, our President, our amazing Secretary of Labor, Frances Perkins deserves of a huge amount of credit.

And after the Wagner Act was passed, or the National Labor Relations Act in 1935, within just 12 years, one-third of American workers were members of unions. And that figure, about a third of all workers being in unions, persisted for some time. But then employers went on the attack to try to undermine that law.

In 1947, over President Truman's veto, the Taft Hartley amendments were passed, and they gutted a lot of what workers wanted in 1935. And then in 1959, the Landrum-Griffin amendments were passed in the Eisenhower era, and they further eroded workers' rights.

So that while a third of workers were union members in the late 1940s and early 1950s, by the time that I started organizing workers in 1983, about 16½ percent of private sector workers were in unions. And today, in 2020, just 6.2 percent of workers in the private sector in our country have the voice and power of a union. And this has decimated the American middle class. And it has made the American Dream recede from view for so many American workers.

So we are going to spend some time tonight talking about the PRO Act, and I want to invite my esteemed colleague from the great State of Minnesota, Representative OMAR, to join me in saying a few words about the PRO Act.

Madam Speaker, I yield the gentlewoman from Minnesota such time as she may consume.

Ms. OMAR. Madam Speaker, I thank the gentleman from Michigan (Mr. LEVIN) for yielding.

Madam Speaker, I rise today to celebrate the role that organized labor has played in improving the lives of countless working men and women across this country.

Labor unions have been the driving force for all positive change for workers in modern history. As a former union member myself, I can attest to the power that workers wield when they exercise their right to organize. And I have seen the incredible work that unions in Minnesota have accomplished when they came together to fight for working rights.

On average, a worker covered by a union contract, earns over 13 percent more in wages than someone with similar education, occupation, and experience in nonunionized workplaces. And unions are about so much more than wages. They create solidarity between workers across gender, race, ethnicity, and religion. That is why we need the PRO Act, and why we must pass it this week, and pressure the Senate to do the same.

It will address the challenges and attacks that labor unions have been facing for decades that have led to the erosion of wages, a spike in workplace discrimination and a dangerous growth in inequality in our society at every turn.

The PRO Act puts power back in the hands of workers where it belongs. I do not want to envision what workplaces would look like for my children and their grandchildren one day if we do not pass the PRO Act. It is a crucial step to strengthening labor rights so that we can help shepherd through a new generation of victories for working unions and members.

Madam Speaker, I am delighted for our chairman and vice chairman on the Committee on Education and Labor for their work in championing labor rights on behalf of American workers.

Mr. LEVIN of Michigan. Madam Speaker, I thank Representative OMAR for being such a champion of workers in Minnesota and throughout this great Nation and, indeed, throughout our world.

Madam Speaker, I will take a few moments to talk about the breadth of this bill.

What has happened to workers in this country over the last several decades is the result of many administrative actions by various administrations, regulatory actions that administrations have taken that stripped workers of their rights, judicial decisions from the lower courts all the way up to the Supreme Court, and laws passed by the Congress and the States, to the point where millions and millions of workers aren't even covered by the National Labor Relations Act, can't even exercise their rights under the National Labor Relations Act, and the rights that they have are so badly eroded that, functionally, workers don't have the freedom to form unions in this country.

And Representative OMAR referenced Chairman SCOTT. Chairman SCOTT and the staff of this committee have done such an incredible job at looking at the complexity of the workplace in 2020 and including the many ways in which we need to make changes to help workers.

I want to highlight several things: The first is the problem of multiple employers and protecting employees of multiple employers.

The PRO Act will make it so that two or more persons are employers under the National Labor Relations Act, if each codetermines or shares control over the employees' essential terms and conditions of employment. It basically codifies the joint employer standard in the NLRB's Browning-Ferris decision of 2015. And this is extremely important because in a lot of industries, employers have tried to evade their responsibility to workers under the National Labor Relations Act through various schemes of corporate organization so that the company that really is in charge, that really determines what uniform they wear, what route they drive, what kind of products they serve, everything about their job, is not considered an employer under the act.

The PRO Act will fix that, and it is very important to help millions of workers get their rights under the NLRA.

Another huge problem of excluding workers from accessing their rights is misclassification of workers as independent contractors.

The PRO Act will fix this problem by using a simple three-part test to determine whether someone is an employee or an independent contractor. And this will help, again, another set of millions of workers gain access to their rights and clarify that they are covered as workers, as employees under the National Labor Relations Act. So they can form a union, bargain collectively, get a contract, and get justice.

Another major area of the law involves protecting workers in their right to engage in protected activities. So let's talk about workers going on strike.

The PRO Act will prohibit employers from permanently replacing workers who go on strike. This is hugely important, because permanent replacement of strikers has been a tactic used over the last, really, 40 years to deter workers from engaging in strikes at all and taking away this very core right of withholding your labor as a way to try to get better working conditions.

I remember what happened in, for example, the meat packing industry, which used to be a largely unionized industry. And the workers' organizations were largely destroyed by preventing workers from engaging in strikes, to the point where their wages and benefits were cut massively and many of their facilities were moved, and they couldn't do anything about it.

Another thing that the PRO Act will do is prohibit offensive lockouts. Under current law, employers may offensively

lock out employees in the absence of a threatened strike with the goal of the employer being to curtail the workers' ability to strike by removing workers control over the timing and duration of a work stoppage.

Current law also permits employers to hire temporary replacements during an offensive lockout. So if the employer thinks there might be a labor dispute, even if the workers hadn't planned to go on strike, they lock the workers out and temporarily replace them, stripping them of their ability to make their own strategy about how they want to enforce their right under the act.

The PRO Act prohibits any lockouts prior to strike but it maintains employers' rights to respond to strikes with defensive lockouts, which is appropriate.

Another key change that the PRO Act would put into law after all these years from the Taft-Hartley amendments is removing limitations on secondary strikes. The idea here is that the Congress in 1947 said that workers of one company can't engage in collective activity in solidarity with workers in another company.

Workers might picket or strike or support a boycott in solidarity with other workers to improve the other workers on their own, perhaps, wages and working conditions.

□ 1845

Being allowed to protest however you want in America about what some other company might be doing is a fundamental First Amendment right.

This has been something that has bothered me for decades. It is fundamentally unfair in this country, and the PRO Act would fix this by allowing workers to have their full freedoms to engage in secondary activity.

A crucial thing that the PRO Act would do to help workers vindicate their rights under the National Labor Relations Act is prohibiting captive audience meetings.

So it is hard for people who haven't been through a union organizing campaign to really understand how absurd it is to claim that a union election is sort of just like a political election, where you go down to the local school or church or wherever you vote, and you get in line and they check whether you are on the voting rolls, and you cast your ballot in a little booth. You wouldn't dream of putting your job at risk or that anybody could do something to you for how you vote in America; it is a core thing.

That is not how it works in a union election. And one of the things that employers have been allowed to do is they can force you to attend a meeting, the sole purpose of which is to pressure you not to vote for a union. They can do that every time you go to work. They can do it for your whole shift.

If you say, ''I have been to five of your presentations about the union; I don't want to go anymore,'' you can be fired for not going to the employer's propaganda offensive against forming a union. It is something, without parallel, in American law and in our economy only to prohibit or try to prevent workers from forming a union.

So the PRO Act will change this at long last and say that people have their First Amendment rights, we are all grownups here, and your employer cannot make you go to an antiunion captive audience meeting on pain of termination.

I am sorry it took until 2020 for us to get to this point, but at long last we are saying captive audience meetings have no place in workers' decisions about forming unions.

There are a lot of other really important provisions I want to get to, but at this time I want to invite my esteemed colleague from the great State of Massachusetts, Representative AYANNA PRESSLEY, to join in this discussion of why it is so important that we pass the Protecting the Right to Organize Act.

Madam Speaker, I yield to the gentlewoman from Massachusetts (Ms. PRESSLEY).

Ms. PRESSLEY. Madam Speaker, today I rise in solidarity with my union brothers and sisters in support of the Protecting the Right to Organize Act.

Over the last few decades, we have seen the right to unionize, to ban together, and to fight for the collective rights and dignities of working people come under attack.

Throughout our Nation's history, these rights and protections have led to better wages and benefits, safer working conditions, and protections from workplace harassment and discrimination.

The hard-won battles of our Nation's unions have helped push back against the vast economic inequities that too often are fueled by the greed of big corporations and special interests.

I have witnessed many of these victories firsthand, from my early days on the picket lines with my mother, Sandy—may she rest in power—who taught me early on that our destinies are tied, that workers' rights are human rights, and that economic justice is workers' justice.

This is still true today, and the fight continues, from the Stop & Shop workers, who walked out and fought back for better healthcare for workers and their families, to the Battery Wharf Hotel workers, who braved the elements for 79 days fighting for livable wages and protections for immigrant workers, pregnant workers, and workers of color.

We cannot and must not take this power for granted.

But for too many workers, ''right-to-work laws'' and other calculated efforts in States across the country have attempted to diminish the power of workers. This ends this week as the House considers the PRO Act, legislation that will protect critical rights to unionize and protect the rights of workers.

Madam Speaker, I thank Representative BOBBY SCOTT for his leadership on this bill to honor and affirm a union's right to their collective voice. I also thank my colleague, my brother from Michigan, for organizing this effort.

Madam Speaker, I look forward to supporting this bill, and I urge my colleagues to do the same.

Mr. LEVIN of Michigan. Madam Speaker, I thank Representative PRESSLEY for being such a great champion for workers in Massachusetts and in our whole country.

Madam Speaker, I now yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Madam Speaker, I want to definitely thank my colleague from Michigan and also my colleague from Massachusetts for being here to support workers.

I believe that it is the labor movement that brought us the middle class. The height was really after World War II, where we saw that wages were going up for everyone—the wealthiest, the middle class, poor people could get jobs that would get them out of poverty—and the labor movement, the right of workers to organize, made the difference, to fight together, work together for better wages and working conditions.

So, today, I rise in enthusiastic support before the House of Representatives for H.R. 2474, the Protect the Right to Organize Act, for a vote that is going to take place tomorrow in the House of Representatives.

The right to form a union, which has been eroded over the last several decades, and the right to take collective action in the workplace and the right to exercise one's First Amendment rights in the form of secondary boycotts are fundamental, and it is past time that we as Americans promote their values.

For too long, employers have been able to violate the National Labor Relations Act with impunity, routinely denying workers their basic right to join with coworkers for fairness on the job. As a result, the collective strength of workers to negotiate for better pay and for better benefits has eroded, and income inequality in the United States of America has reached levels that predate the Great Depression.

What is worse is that this is a rather predictable outcome. It is not surprising if workers don't have the right to organize that their wages are not going to go up.

But I want to share a story. It is a story of a woman named Yiran Zhang. She is a graduate worker at Loyola College in my district, in Chicago, Loyola Chicago.

Yiran Zhang's parents raised their child to be a believer that education was the path to a better life. They moved to the United States from China when she was almost 2 years old. So she has grown up here. Her parents moved to the United States to earn their Ph.D.'s and work as graduate workers.

Years later, Yiran decided to follow in her parents' footsteps by pursuing a Ph.D. The philosophy major quickly learned that a lot has changed in the world since her parents were graduate workers like she is now.

We're struggling to make a living. The expectations are the same, but the conditions in higher education are so different.

The expectations of the job, she means, are the same.

She says:

As a graduate worker, I've had to miss paying bills, to skip doctor's appointments, and even work two or three additional jobs to cover living expenses. I'm fighting for a union because I know it is only by standing together with my colleagues that we can change any of this.

So Yiran and other Loyola graduate workers came together to form a union to make improvements in the school's administration. They found that the administration actually dismissed them and used the legal system to fight their efforts.

Yiran sees unions as the only way for graduate workers to be heard. I actually stood with them at a demonstration, and she said:

I've seen that the only way that we've been able to get our administration to listen is by doing sit-ins and walkouts and taking action together. Teachers across the country and people who work at things like Stop & Shop have had the same experience.

In addition to having a seat at the table, Loyola graduate workers are fighting for a higher stipend and the establishment of summer funding, which will give them the ability to do important research and writing over the summer instead of having to take on multiple part-time jobs just to make ends meet. They also want more professional support, including clear grievance procedures and accountability.

So, for young women like Yiran, the ability to join and unionize would mean that she would be able to truly build on the foundations started by her parents. She says:

I am fighting for a living wage, respect for my labor, and a better life. I shouldn't have to seek outside work up to 30 hours a week on top of my graduate worker hours just to make ends meet at the cost of finishing my program on time or being the best scholar and educator that I can be. Academia shouldn't be just for the privileged. Negotiating a fair contract with graduate workers is the first step toward addressing these harmful systemic issues.

I am going to quit. I have taken more than my time, I think. But I wanted to give you a true-life example of a woman who is trying to do her best in her job as a student worker, as a graduate worker, and because she can't organize, she can't get the benefits and the wages that she deserves. This is typical of what is going on in our country and is creating the income inequality that we see right now.

Mr. LEVIN of Michigan. Madam Speaker, I thank Representative SCHAKOWSKY for her words. I am so glad she shared that story from Loyola. It reminds me of another situation of graduate employees that many of us, our colleagues, are working on right now.

Graduate employees of Harvard, in all kinds of labs, in the social sciences and in the arts, all the different departments, formed a union and were recognized something like 18 months ago by the Harvard administration, but they have never achieved a first contract.

I think something like over 20 colleagues joined me in sending a letter to the president of Harvard University, 20-some of us who are graduates. I am a graduate of Harvard Law School, and other people are graduates from the law school, undergraduates from Harvard University, the Kennedy School, doctors, whatever.

We all sent a letter to President Bacow saying we are happy that you recognized the union, but unless workers get a first contract, what have they really achieved? And we hope that both sides will come together and achieve a first contract. We continue to watch that situation.

So graduate employees, like others, need the freedom and the ability to form unions.

I want to hit on a few other areas that the PRO Act deals with, and my theme tonight really is what a comprehensive jobs bill does in trying to fix problems that prevent workers from exercising their rights.

□ 1900

Here is another one. The PRO Act will eliminate employers' ability to unilaterally withdraw recognition from a union. Now, this is problem created more recently.

On July 3, 2019, the Trump NLRB issued a decision in Johnson Controls, Incorporated that would allow an employer to announce that it will withdraw recognition of a union within a 90-day timeframe before the expiration of a collective bargaining agreement, based on its own idea that the union has lost majority support. This is just such a good example of what has happened over and over with workers' rights being chipped away at.

And so the PRO Act would overturn this decision and prohibit employers from unilaterally withdrawing recognition of a union, unless there is an election to decertify the union; just like the workers would have gone through an election to create the union in the first place.

Speaking of first contracts, almost half the time when workers organize in this country, they don't have a first contract within a year or two. And if you don't have a contract by then, you are not likely ever to get one. If you can't bargain collectively, what have you really accomplished by winning a union election?

So it is really crucial that we have first contracts. The PRO Act fixes this problem. It basically sets up a system of mediation and arbitration to ensure workers get a contract. It goes like this: Upon a written request from the union, they have to commence bargaining in 10 days.

If, within 90 days, they haven't achieved a first contract, either party can request mediation. After 30 days of mediation, if there isn't a first contract, the case will be referred to arbitration; and the arbitration panel must be established within 14 days. And there are sensible procedures about a three-person arbitration panel, fairly picked, with each side picking one and then agreeing on the third.

Bottom line here: In 144 days, 7½ weeks from when the election is decided and the union is certified, there will be arbitration. There is no timeline for a decision, but that is reasonable because the arbitrators do this as a profession; they know how to do it; and I think we can count on them to be timely. And the decision of the arbitrators is binding for 2 years.

So bottom line, if the company doesn't want to negotiate, if the workers are having a hard time getting the company to the table, they can go to mediation and arbitration, and in 7½ weeks, they can have an arbitration panel hearing their case. It's a complete sea change from today, and very important.

Another right that workers have been denied is the right to collective action in the courtroom, to sue their employer, to go to court to vindicate their rights.

The NLRA protects workers' rights to engage in concerted activities for the purpose of mutual aid and protection. It is that broad.

But, on May 21, 2018, the Supreme Court held in Epic Systems Corporation v. Lewis that, despite this explicit protection, employers may force workers into signing arbitration agreements that waive the right to pursue work litigation jointly, collectively, or in a class action, despite the specific language of the NLRA.

So, the PRO Act would overturn that decision by explicitly stating that employers may not require employees to waive their rights to collective action in the courtroom, including class action litigation.

I started organizing unions in 1983, and I remember learning about the Excelsior list; the list that employers have to provide unions so that they can know who the workers are and help them organize the union. You can only get this list after you have a showing of interest required under the act, so there is a whole process for this.

But the lists we got were often garbage. They were wrong. They would only have a person's first name or last name. They didn't have the information required.

So the National Labor Relations Board decided in 2014 that there has to be certain information in a list, and it has to be searchable in electronic format; very common sense. Employee's full name, their home address, work location, shift, job classification and, if the employer has it, their land line and

mobile telephone numbers and email addresses.

What is the context here?

I can tell you from personal experience, when we talk about workers having the right to organize, they don't actually have the right to have access to union organizers in their workplace.

When I was organizing for SEIU, and in the 11 years I served as the assistant director of organizing at the national AFL–CIO, if we were helping workers at a facility organize and we walked on to that property, the employer would arrest us for trespassing.

Workers in the United States have no right to actually have access to unions in their workplace; so their only way to talk to representatives of the union is on the phone, or email, or at their homes. So the PRO Act makes clear that those lists have to be adequate, it's another thing that may seem small; but if we fix it, we are going to help a lot more workers exercise their rights.

Another thing that happens very often is that employers gerrymander the bargaining unit that the National Labor Relations Board finds in which to hold an election.

So the PRO Act codifies the National Labor Relations Board's 2011 decision in Specialty Healthcare, and prevents employers from doing this gerrymandering; prevents them from including individuals in the voting unit who have no interest in joining the union, but they are simply put there to try to pad the ''no'' vote to prevent the workers from succeeding in forming a union.

Another thing about union elections that are different from any normal election in a democracy is the workers usually vote in their workplace after an intense campaign from their employer to try to stop them from forming a union.

So the PRO Act enables the board to hold union representation elections electronically, through certified mail, or off-site, at a neutral location, to ensure that the employees can cast their ballots in a neutral, non-coercive environment.

It may seem incredibly basic in any election, but I am telling you, for the last 50 years, all union elections have taken place under physical conditions of pressure and coercion in an employer's workplace, almost all of them.

A related matter that, again, seems shocking to many; if you took a civics class or any class about government or American history and you learned how elections are supposed to take place, this is a unique aspect.

In a union election, where it is just supposed to be workers deciding whether or not they want to form a union, under our system, the employer has been a party to the election. The workers file a petition. The employer is deemed a party, and then they get to engage in litigation, delay, in order to advance their interest, which always is to stop their workers from forming a union.

So the PRO Act says no more. We are not having outside entities interfering with employees' decisions about whether to join a union or not join a union. It is just up to the workers.

This would harmonize the NLRB's procedures with those of the National Mediation Board under the Railway Labor Act, which governs labor relations for railways and airlines and in this area it works much better.

Another question is: What do you do if an employer is found to have systematically interfered with the workers' right to form a union?

What has happened regularly is the employer does anything to destroy a majority who may have signed cards seeking union representation, which leads to the election, and to get the workers to vote ''no'' even if a majority of them signed union cards.

A showing of interest to obtain an election for workers doesn't require a majority. It requires, I think, 30 percent.

But what the PRO Act says is, if a majority of people said they wanted to have a union, an absolute majority, they signed authorization cards, and then the employer set about and destroyed the majority through means that the National Labor Relations Board determined were illegal, the NLRB has a remedy that it shall issue an order requiring the employer to bargain, taking away the incentive and the ability of employers to destroy workers' majorities through illegal activities.

Another area that has been so lacking in our labor laws has to do with penalties. And again, if you are a civil rights lawyer or activist concerned with women's rights, or the rights of religious minorities, or the rights of racial minorities, you wouldn't believe this: In all other areas of civil rights laws, laws protecting rights of Americans, there are various forms of penalties to try to disincentivize violating American's rights; pain and suffering, treble damages, different—it depends on the statute and the area.

Here is the way it works under the National Labor Relations Act. If I am fired for trying to form a union, and the employer does it totally on purpose, just to destroy, scare everybody else, they succeed in killing the union drive, that was their goal; and there is litigation, the union backs me up. If, 3 years later, a judge finds they absolutely fired you for union activity, they violated your rights, you are right, you get your remedy. The remedy is this: Single back pay minus anything you made in the meantime. It is shocking.

Working people aren't going to stop working in the hopes that someday they will be found to have had their rights violated. They have to feed their family. So employers basically have gotten away with violating people's rights, and the penalty has been, often, virtually nothing.

So under the PRO Act, if an employee has been discharged or suffered serious economic harm in violation of the act, now the NLRB will award back pay, without any reduction, front pay, consequential damages, and an additional amount as liquidated damages equal to two times the amount of damages awarded, which is, essentially, the normal kind of punitive damages awarded in this kind of case, to incentivize the employers not to violate the law.

Also, the workers cannot have their relief denied if they are an undocumented worker.

So let me just mention one other area where this law will help workers so much; just to vindicate their basic right of association and speech in the workplace, to come together and form a union and bargain collectively. It refers to the same situation I just mentioned.

If they fire you for trying to form a union, what happens?

Their principal motive really isn't about you as an individual. It is about the group. They are trying to scare you out of forming a union.

□ 1915

They will fire the ringleaders. They will fire one, five, however many people they think are necessary to basically have the workers fear moving forward to vindicate their rights.

Often in these cases, the courts ultimately may determine 6 months, 1 year, 5 years later that you were fired for union activity, but the union drive was killed long ago. It is immediate. It was killed within a day or weeks.

So the PRO Act requires the NLRB to seek temporary injunctive relief whenever there is reasonable cause to believe that an employer unlawfully terminated an employee or significantly interfered with employees' rights under the NLRA. And the district court is directed to grant temporary relief for the duration of the NLRB proceedings.

Essentially, they are saying: I am firing you because you did something wrong on the job. That can be determined after the election, but we are not going to let employers fire workers to scare their coworkers out of exercising their rights.

Madam Speaker, these are just a few of the ways that the PRO Act will help American workers at long last exercise their freedom to form unions and bargain collectively. I am telling you, we have passed so much legislation that would help American workers and their families, the Raise the Wage Act, protection for people with preexisting conditions, lowering prescription drug costs, but there is no bill that comes close to this one and the impact it could have on American families and workers.

MIT did a study, and it found that just under half of nonunion workers say they would like to form a union if they just had the freedom to do it. Gallup every year studies people's attitudes toward unions. They have been

doing this the same way for decades. They found the highest approval rating of unions in decades, yet just 6 percent of private-sector workers have unions.

If workers were free to form unions in this country, and not half of all nonunion workers but just a fraction of them so we got back up to say a third of workers being in unions in this country again, our economy would be completely transformed because when workers form unions it is not just they themselves who benefit. Other employers raise their wages to compete to attract workers or to try to get their workers not to form a union. That is fine. It benefits all workers in this country. It benefits their children and their communities.

It is just an honor to be here to talk about the PRO Act. I am really proud of being one of Chairman SCOTT's lieutenants in this effort. Tomorrow, we are going to pass this legislation and give a leg up to all the working people in this country who just want to get their little piece of the American Dream.

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

STILL I RISE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the Chair recognizes the gentleman from Texas (Mr. GREEN) for 30 minutes.

Mr. GREEN of Texas. Madam Speaker, and still I rise, with the love of my country at heart, and I rise today on this day when the Senate has concluded its trial of the President.

I rise to say that this House can be very proud of the job that it has done because, notwithstanding all that has been said, this House had the courage to do what the Constitution required pursuant to Article II, Section 4, in terms of the standard for finding a President guilty.

The House did what it was supposed to do. The House impeached this President, charged this President with two Articles of Impeachment. One was the obstruction of Congress. I like to think of it as an obstruction of a congressional investigation. The other was abuse of power.

The Senate did not find the President guilty of either of the Articles of Impeachment, but the House still did its job because the House has the duty, the responsibility, and the obligation to move forward, notwithstanding what may be the case in the Senate. The House doesn't act based on what the Senate is perceived to do or not do. The House must act based upon the evidence that is before it.

And the House did act. And the House did impeach. And as a result, regardless as to the finding of the Senate, the President is impeached forever. And it will be forever written in history that this President was impeached for high crimes and misdemeanors.

Why is this so important? It is important because notwithstanding the finding in the Senate, the President knows now that the House has the courage to do its job. The House will put the guardrails up. The President knows that he cannot escape the House because this is where the bar of justice lies in terms of presenting Articles of Impeachment such that they can go to the Senate.

The President has to know now that the House is the sword of Damocles. For those who may not know, Damocles was a courtier. He was a person who would flatter the king, let the king believe and tell the king that he was great and that all of his subjects loved him. The king, on one occasion, decided to allow Damocles to occupy the throne. But in so doing, he wanted Damocles to understand that occupying the throne carries with it more than the accolades and all of the kind words that were being said.

So he had a sword hung above Damocles by a single hair from a horse's tail. As Damocles sat there, he understood that, at any moment, the sword might fall upon him and do him great harm. To some extent, he was proud and pleased to occupy the throne, but the reality was he realized that it was not the easy occupation that he thought it to be. So he begged the king to release him and allow him to remove himself from under the sword that was hanging over him.

The House is the sword of Damocles. We hang there above the President so that he will know that if he commits impeachable acts that the House will act.

Now, I understand that there will be those who will say that the Senate acted and found the President not guilty. Yes, ''not guilty,'' not ''innocent.'' The Senate did not proclaim the President innocent. They simply said he is not guilty—a lot of difference between not guilty and innocent.

To be innocent means you have been found to have done absolutely nothing wrong, you are totally without blame, and you are a person who can claim that you have done absolutely nothing wrong without any blame at all. Well, ''not guilty'' simply means that the evidence presented, as they reviewed it, they did not conclude that the President could be found guilty. So he was found not guilty, but he was not proclaimed innocent by the Senate.

And the Senate cannot proclaim that a President who has been found not guilty cannot be impeached again. The Senate deals with the question of a trial, and there is some question as to whether or not this was an appropriate trial pursuant to the Constitution. But the Senate deals with the trial. It is the House that deals with impeachment.

As such, the House found that the President should have been impeached, did impeach, but also, the law under the Constitution allows the House to impeach again if the President is found to have engaged in impeachable offenses. The House is not allowed simply one opportunity to impeach a reckless, ruthless, lawless President. The House can impeach each and every time the President commits an impeachable act. And if the President has committed an impeachable act, the House can impeach.

There will be those who will say that we are now calling for impeachment again. This is not true. I will make it perspicuously clear: Not the case. Not calling for impeachment at this time, but indicating that the rules, pursuant to the Constitution, allow for impeachment at any time the President commits acts that are impeachable.

Madam Speaker, I must say if the President does commit another impeachable act, I believe that this House will uphold its responsibility, its duty, and its obligation, as it has done.

I am proud to be associated with the House and what it has done because I am proud to say we have upheld the Constitution. This is what we were required to do, to uphold the Constitution of the United States of America and not allow a President to simply do as he would without any restrictions on him. I understand that the President has decided that, as the executive, he can dictate the rules for a trial, the rules for impeachment, but the House did not allow him to do so, such that it would retreat from its responsibility.

The House has said: Mr. President, there are guardrails, and these guardrails we will not allow you to simply ignore. The guardrails are such that you will have to conform to the Constitution.

I believe that what the Senate has done has not benefited the country, but I also know that what the House has done was send a message that the President is not beyond reproach, that the House of Representatives still stands here as a sentinel on duty to assure this country that if the President steps out of line and does something that is impeachable, the House will indeed act upon what the President may have done.

I believe in the separation of powers. I believe that the executive branch has certain powers. I believe that the judicial branch has certain powers and that the legislative branch has certain powers. But I know that only the House has the power to impeach.

And I know that the President cannot withhold witnesses, cannot withhold evidence from the House such that it cannot move forward with the proper investigation. I know that he cannot do this with impunity. He can't do it with immunity of some sort. He is not immune, and the House has demonstrated this, that he is not immune. Notwithstanding his behavior, the House can still move forward with its duty and responsibility as it did and impeach.

It is also now clear that the House does not have to find out a crime has been committed, in the sense of a statutory, codified offense. There does not

have to be a crime that has been defined in law such that it is penally punished. Not so. The Constitution doesn't require it.

In fact, Andrew Johnson was impeached in 1868 for offenses that were not crimes, in the sense that they were something defined by statute, something that has already been codified. It wasn't required then; it isn't required now.

Andrew Johnson was impeached on Article X of the articles against him for acts rooted in his bigotry and his hatred. He was impeached, and the root of it was he did not want the freed slaves to enjoy the same rights as other people in this country. He fought the Freedmen's Bureau. He did everything that he could to prevent them from having the same rights as others in this country. The radical Republicans impeached Andrew Johnson in 1868 for having utterances and statements that were harmful. He demeaned the House of Representatives. But it was all rooted in his hate and racism, and as a result, no crime, but he was impeached.

□ 1930

We now know that this can be done.

And this President has done some things that are dreadful, some things that I would not want to see a President do and that, in my opinion, are in violation of the Constitution.

You don't have to commit a statutory offense to be found guilty of a high crime and misdemeanor. We know this now.

When we first started this journey, we had to fight this battle to convince people, and people have finally been convinced. There are some outliers who will contend that you have to commit a crime in the sense that it is defined and codified as a statute, but this is not the case. All of the leading scholars agree with the comments that I am sharing with you tonight.

So we know now that, if the President inculcates bigotry into his policies, he can be impeached. For bigotry in policies emanating from the Presidency, he can be impeached.

We don't have to have bigoted policies emanating from the President. We don't have to have this. There is no requirement in this country that we must suffer a President who presents bigotry into public discourse. There is no requirement.

We have an obligation in this country to defend all people. All of the people in this country should have equal protection under the law. We can't allow anyone in this country to present circumstances or cause circumstances to come into existence that may cause harm to people.

When you say ugly things about people and you tell police officers that you don't have to be nice when you are arresting a person, you are inviting harm to be caused to a certain person who may be arrested.

Anybody who is arrested should still be treated as a human being with certain dignity and respect simply because that certain person is in the care, custody, and control of the authorities. The authorities have a duty to respect the people that they arrest.

Well, you don't invite persons to behave otherwise, which is something this President has done.

So I want the persons within the sound of my voice to know that I am proud of what the House has done. The President now knows that he can be impeached, that we are the sword of Damocles. The House has a duty and responsibility to do what it did, and it can do it again if the President commits additional impeachable acts.

The President has said he could go out on Fifth Avenue and shoot someone and do it with immunity.

He didn't use those exact words.

Well, if he does, using his phraseology of going out and doing this dastardly deed, he will be impeached. We will not allow a President to do such a thing.

And I, quite frankly, think it is inappropriate for him to joke about such a thing. I say it only because I want people to know that I take seriously the possibility of the President doing something else, not going out on Fifth Avenue, but doing something else.

The President has demonstrated that he is a recidivist, and he will engage in recidivism; and when he does engage in recidivism, we have a responsibility to the Constitution to impeach him for his misdeeds.

Finally, this: I love this country. It means something to me to be a citizen of this country. I respect the opportunity that I have to be a part of this Congress.

I don't want it said that, on my watch, when we had a reckless, ruthless President, I failed to live up to my responsibilities. I want it said that, though I may have had to stand alone at some point, it is better to stand alone than not stand at all.

I want it said that I recognize the fact that, if you tolerate bigotry, you perpetuate it. And I want it said that I did not tolerate it, and that I did all that I could to bring a President who engaged in bigotry and racism and Islamophobia, homophobia, xenophobia, nativism, all of the invidious phobias, anti-Semitism, that I did all that I could to bring him to the bar of justice in the House of Representatives.

But I also would want the record to show that I said tonight that I will do all that I can, if he engages again, to bring him before the bar of justice, and that certain offenses that he has committed have not been brought to the bar of justice and that it is never too late, as long as he is in office, to bring the President before the bar of justice.

This is where it all starts, right here in the House of Representatives.

I am so proud of my colleagues who voted to impeach this President. The House can be proud of what it has done.

The President knows that here there is courage and there is the courage to bring him to justice. He will forever be an impeached President.

He may have been found not guilty, but the impeachment is not eradicated, it is not obliterated, it is not eliminated by virtue of the fact that the Senate chose not to find the President guilty.

I happen to absolutely, totally, and completely disagree with the Senate and its findings. I think the Senate made the wrong decision, but it made a decision, and that decision will stand.

But I also know that that decision can be appealed. The decision of the Senate can be appealed, and it will be appealed to a higher court, the court that will convene in November. I believe that that court will have a different finding in November of this year.

I love my country.

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

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

ADJOURNMENT

Mr. GREEN of Texas. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 36 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, February 6, 2020, at 10 a.m. for morning-hour debate.

BUDGETARY EFFECTS OF PAYGO LEGISLATION

Pursuant to the Statutory Pay-As-You-Go Act of 2010 (PAYGO), Mr. YARMUTH hereby submits, prior to the vote on passage, for printing in the CONGRESSIONAL RECORD, that H.R. 3830, the Taxpayers Right-To-Know Act, as amended, would have no significant effect on the deficit, and therefore, the budgetary effects of such bill are estimated as zero.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3710. A letter from the Senior Legal Advisor for Regulatory Affairs, Department of the Treasury, Financial Stability Oversight Council, transmitting the Council's final interpretive guidance — Authority To Require Supervision and Regulation of Certain Nonbank Financial Companies (RIN: 4030-ZA00) received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

3711. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flutriafol; Pesticide Tolerances [EPA-HQ-OPP-2018-0297; FRL-10004-03] received February 3, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec.

251; (110 Stat. 868); to the Committee on Energy and Commerce.

3712. A letter from the Director, Regulatory Management Agency, Environmental Protection Agency, transmitting the Agency's final rule — Prohexadione Calcium; Pesticide Tolerances [EPA-HQ-OPP-2018-0785; FRL-10003-04] received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3713. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Propanamide, 2-hydroxy-N, N-dimethyl-; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2019-0279; FRL-10003-07] received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3714. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cyantraniliprole; Pesticide Tolerances [EPA-HQ-OPP-2017-0694; FRL-10004-23] received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3715. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Difenoconazole; Pesticide Tolerances [EPA-HQ-OPP-2018-0178 and EPA-HQ-OPP-2019-0076; FRL-10002-06] received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3716. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Environmental Protection Agency Acquisition Regulation (EPAAR) Clause Update for Submission of Invoices [EPA-HQ-OMS-2018-0742; FRL-10002-43-OMS] received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3717. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Ethylenebis(oxyethylene) bis[3-(5-tert-butyl-4-hydroxy-m-tolyl) propionate]; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2019-01296; FRL-10002-96] received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3718. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Texas; Revisions to Control of Air Pollution by Permits for New Construction or Modification [EPA-R06-OAR-2019-0043; FRL-10004-67-Region 6] received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3719. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Reasonably Available Control Technology State Implementation Plan for Nitrogen Oxides Under the 2008 Ozone National Ambient Air Quality Standard [EPA-R03-OAR-2019-0207; FRL-10004-84-Region 3] received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3720. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Chlorfenapyr; Pesticide Tolerances [EPA-HQ-OPP-2018-0783; FRL-10002-05] received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3721. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Texas; Houston-Galveston-Brazoria Area Redesignation and Maintenance Plan for Revoked Ozone National Ambient Air Quality Standards; Section 185 Fee Program [EPA-R06-OAR-2018-0715; FRL-10002-70-Region 6] received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3722. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Ohio; Prevention of Significant Deterioration Greenhouse Gas Tailoring Rule [EPA-R05-OAR-2012-0990; FRL-10005-04-Region 5] received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3723. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Connecticut; Transport State Implementation Plan for the 2008 Ozone Standard [EPA-R01-OAR-2019-0513; FRL-10004-95-Region 1] received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3724. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Acetamiprid; Pesticide Tolerances [EPA-HQ-OPP-2018-0784; FRL-10004-12] received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3725. A letter from the Associate Director of International Economics, Bureau of Economic Analysis, Department of Commerce, transmitting the Department's final rule — Direct Investment Surveys: BE-10, Benchmark Survey of U.S. Direct Investment Abroad [Docket No.: 191104-0074] (RIN: 0691-AA89) received February 3, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

3726. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 23-204, ''Primary Election Filing Requirement Temporary Amendment Act of 2020'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Reform.

3727. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 23-216, ''Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Temporary Amendment Act of 2020'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Reform.

3728. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 23-203, ''Fiscal Year 2020 Budget Support Clarification Amendment Act of 2019'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Reform.

3729. A letter from the Senior Advisor, Office of Inspector General, Department of Health and Human Services, transmitting a notification of a discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Reform.

3730. A letter from the White House Liaison, Office of Legislation and Congressional Affairs, Department of Education, transmitting a notification of a designation of acting officer and a discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Reform.

3731. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Uniformed and Overseas Citizens Absentee Voting Act Annual Report to Congress 2019, pursuant to 52 U.S.C. 20307(b); Public Law 99-410, Sec. 105(b) (as amended by Public Law 111-84, Sec. 587(2)); (123 Stat. 2333); to the Committee on House Administration.

3732. A letter from the Secretary, Federal Maritime Commission, transmitting the Commission's final rule — Inflation Adjustment of Civil Monetary Penalties [Docket No.: 20-01] (RIN: 3072-AC79) received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

3733. A letter from the Acting General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Civil Monetary Penalty Inflation Adjustment (RIN: 3133-AF09) received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

3734. A letter from the Chairman, Office of Proceedings, Surface Transportation Board, transmitting the Board's final rule — Civil Monetary Penalties--2020 Adjustment [Docket No.: EP 716 (Sub-No. 50)] received February 3, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

3735. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting a report advising that the cost of response and recovery efforts for FEMA-3426-EM in the Commonwealth of Puerto Rico has exceeded the limit for a single emergency declaration, pursuant to 42 U.S.C. 5193(b)(3); Public Law 93-288, Sec. 503(b)(3) (as amended by Public Law 100-707, Sec. 107(a)); (102 Stat. 4707); to the Committee on Transportation and Infrastructure.

3736. A letter from the Assistant Secretary of the Army (Civil Works), Department of the Army, Department of Defense, transmitting the 2019 Biennial Report to Congress on the Status of the Missouri River Bank Stabilization and Navigation Fish and Wildlife Mitigation Project, KS, MO, IA, NE, pursuant to Public Law 113-121, Sec. 4003(e); (128 Stat. 1313); to the Committee on Transportation and Infrastructure.

3737. A letter from the Assistant Secretary of the Army (Civil Works), Department of the Army, Department of Defense, transmitting the Department's Reservoir Sediment Report, pursuant to Sec. 1146(f) of the Water Resources Development Act of 2018; to the Committee on Transportation and Infrastructure.

3738. A letter from the Executive Director, Office of Congressional Workplace Rights, transmitting the Office's Annual Report on Awards and Settlements for Calendar Year 2019 for Employing Offices of the House of Representatives and the Annual Report on Awards and Settlements for Calendar Year 2019 for Employing Offices of the Senate, and other Employing Offices, pursuant to 2 U.S.C. 1381(l)(1)(A); Public Law 104-1, title III, 301(l)(1)(A) (as added by 201(a)(1)(B)); (132 Stat. 5315); jointly to the Committees on House Administration and Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. CAROLYN B. MALONEY of New York: Committee on Oversight and Reform. H.R. 3941. A bill to enhance the innovation, security, and availability of cloud computing services used in the Federal Government by establishing the Federal Risk and Authorization Management Program within the General Services Administration and by establishing a risk management, authorization, and continuous monitoring process to enable the Federal Government to leverage cloud computing services using a risk-based approach consistent with the Federal Information Security Modernization Act of 2014 and cloud-based operations, and for other purposes; with an amendment (Rept. 116–391). Referred to the Committee of the Whole House on the state of the Union.

Mr. DESAULNIER: Committee on Rules. House Resolution 833. Resolution providing for consideration of the resolution (H. Res. 826) expressing disapproval of the Trump administration's harmful actions towards Medicaid; providing for consideration of the bill (H.R. 2474) to amend the National Labor Relations Act, the Labor Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act of 1959, and for other purposes; and providing for consideration of the bill (H.R. 5687) making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for olther purposes (Rept. 116–392). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. PLASKETT (for herself, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. CARBAJAL, Mr. CARSON of Indiana, Mr. ESPAILLAT, Ms. NORTON, Ms. ROYBAL-ALLARD, Mr. SIRES, Ms. TITUS, and Ms. VELÁZQUEZ):

H.R. 5756. A bill to amend the Bipartisan Budget Act of 2018 to extend the provision of assistance for critical services with respect to certain disasters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BARR (for himself and Ms. GABBARD):

H.R. 5757. A bill to amend title 38, United States Code, to improve the care furnished to veterans with military sexual trauma; to the Committee on Veterans' Affairs.

By Mr. GUTHRIE (for himself and Ms. SCHAKOWSKY):

H.R. 5758. A bill to amend the Energy Policy and Conservation Act to make technical corrections to the energy conservation standard for ceiling fans, and for other purposes; to the Committee on Energy and Commerce.

By Ms. ADAMS (for herself, Mr. DELGADO, and Ms. OMAR):

H.R. 5759. A bill to establish a career pathway grant program; to the Committee on Education and Labor.

By Mr. BERA (for himself and Mr. WEBER of Texas):

H.R. 5760. A bill to provide for a comprehensive interdisciplinary research, development, and demonstration initiative to strengthen the capacity of the energy sector to prepare for and withstand cyber and physical attacks, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEUSER (for himself and Mr. BRINDISI):

H.R. 5761. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide or assist in providing an additional vehicle adapted for operation by disabled individuals to certain eligible persons; to the Committee on Veterans' Affairs.

By Mr. CARTWRIGHT (for himself, Mr. ROGERS of Kentucky, Mr. BISHOP of Georgia, Mr. COSTA, Mr. PAPPAS, Mrs. BUSTOS, and Mr. BALDERSON):

H.R. 5762. A bill to establish a White House Rural Council, and for other purposes; to the Committee on Agriculture.

By Mr. GIANFORTE (for himself and Ms. ESHOO):

H.R. 5763. A bill to amend the Public Health Service Act to advance telehealth by developing a plan for adoption and coordination by Federal agencies, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRIJALVA (for himself, Mr. YOUNG, Mr. LANGEVIN, Mr. GALLEGO, Mr. ESPAILLAT, and Mrs. DAVIS of California):

H.R. 5764. A bill to establish high-quality dual language immersion programs in low-income communities, and for other purposes; to the Committee on Education and Labor.

By Mr. LARSEN of Washington (for himself and Mrs. BROOKS of Indiana):

H.R. 5765. A bill to reauthorize the matching grant program for school security in the Omnibus Crime Control and Safe Streets Act of 1968; to the Committee on the Judiciary.

By Mr. MCCARTHY (for himself and Mr. KHANNA):

H.R. 5766. A bill to amend the Harry W. Colmery Veterans Educational Assistance Act of 2017 to expand eligibility for high technology programs of education and the class of providers who may enter into contracts with the Secretary of Veterans Affairs to provide such programs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. OMAR (for herself, Ms. BASS, Mr. NEGUSE, Mr. PAYNE, Ms. NORTON, Mr. MCGOVERN, Mr. CARSON of Indiana, Ms. CLARKE of New York, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Ms. MCCOLLUM, Ms. JACKSON LEE, Mr. GRIJALVA, Mr. KHANNA, Ms. PRESSLEY, Mr. HORSFORD, Ms. TLAIB, Ms. OCASIO-CORTEZ, Mrs. WATSON COLEMAN, Ms. SCANLON, Ms. SCHAKOWSKY, Mr. SMITH of Washington, Mr. GOMEZ, Mr. ENGEL, Mr. ESPAILLAT, Ms. LEE of California, Mr. RUSH, Mr. RASKIN, Ms. CRAIG, Mr. PHILLIPS, and Mr. CLAY):

H.R. 5767. A bill to defer the removal of certain Eritrean nationals for a 24-month period, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHNEIDER (for himself, Mr. ZELDIN, Mr. DEUTCH, Mr. KUSTOFF of Tennessee, and Mr. LEWIS):

H. Con. Res. 87. Concurrent resolution authorizing the use of Emancipation Hall for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust; to the Committee on House Administration.

By Ms. GRANGER (for herself, Mr. SCALISE, Mr. FERGUSON, Mr. CALVERT, Mr. MEADOWS, Mr. GOHMERT, Mr. GOSAR, Mr. HICE of Georgia, Mr. BROOKS of Alabama, Mr. FLORES, Mrs. WAGNER, Mr. WEBER of Texas, Mr. OLSON, Mrs. WALORSKI, Mr. CARTER of Texas, Ms. CHENEY, Mr. COLLINS of Georgia, Mr. GAETZ, Mr. ABRAHAM, Mr. AUSTIN SCOTT of Georgia, Mr. NEWHOUSE, Mr. PALMER, Mr. WENSTRUP, Mr. BRADY, and Mr. GRIFFITH):

H. Res. 832. A resolution raising a question of the privileges of the House; to the Committee on Ethics.

MEMORIALS

Under clause 3 of rule XII,

158. The SPEAKER presented a memorial of the General Assembly of the Commonwealth of Virginia, relative to House Joint Resolution No. 1 and Senate Joint Resolution No. 1, submitting Virginia's ratification of the Equal Rights Amendment to the Constitution of the United States; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Ms. PLASKETT:

H.R. 5756.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. BARR:

H.R. 5757.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clauses 12 and 13, which gives Congress the power ''To raise and support Armies,'' and ''To provide and maintain a Navy.

By Mr. GUTHRIE:

H.R. 5758.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. ADAMS:

H.R. 5759.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. BERA:

H.R. 5760.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States.

By Mr. MEUSER:

H.R. 5761.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States

By Mr. CARTWRIGHT:

H.R. 5762.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. GIANFORTE:

H.R. 5763.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution

By Mr. GRIJALVA:
H.R. 5764.
Congress has the power to enact this legislation pursuant to the following:
U.S. Const. art. I, §§1 and 8.
By Mr. LARSEN of Washington:
H.R. 5765.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 1: ''All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.''
By Mr. MCCARTHY:
H.R. 5766.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 12, 13, and 18.
By Ms. OMAR:
H.R. 5767.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 141: Mr. BACON.
H.R. 155: Mr. STEUBE.
H.R. 273: Mr. KILMER.
H.R. 396: Ms. MCCOLLUM.
H.R. 490: Mr. SHIMKUS.
H.R. 587: Mr. CRIST.
H.R. 592: Mr. BEYER.
H.R. 616: Mr. PENCE.
H.R. 884: Mr. TRONE.
H.R. 906: Mr. JOYCE of Ohio, Mr. GONZALEZ of Ohio, Mr. HICE of Georgia, Ms. GABBARD, Mr. STEUBE, Mr. SWALWELL of California, Mr. BACON, Mr. RIGGLEMAN, Mr. PAPPAS, Mr. JOHNSON of Ohio, Mr. KELLER, and Ms. DEAN.
H.R. 924: Ms. DELBENE, Ms. SCHAKOWSKY, Mr. SAN NICOLAS, Mr. COSTA, and Mr. TRONE.
H.R. 969: Mr. KUSTOFF of Tennessee and Mr. TAYLOR.
H.R. 1057: Ms. DEAN.
H.R. 1195: Ms. SPANBERGER.
H.R. 1241: Ms. WEXTON and Mr. BUTTERFIELD.
H.R. 1260: Mr. GARCÍA of Illinois.
H.R. 1301: Mr. TRONE and Mr. WOMACK.
H.R. 1374: Mr. ARRINGTON and Mr. WILSON of South Carolina.
H.R. 1383: Mr. BEYER.
H.R. 1400: Ms. WASSERMAN SCHULTZ and Mr. RASKIN.
H.R. 1461: Mr. WEBER of Texas.
H.R. 1530: Mr. MURPHY of North Carolina.
H.R. 1549: Ms. PINGREE.
H.R. 1550: Ms. MOORE.
H.R. 1643: Ms. WEXTON.
H.R. 1733: Mr. PETERSON, Mr. COLE, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 1748: Mr. SMITH of Washington.
H.R. 1754: Mr. COOPER.
H.R. 1766: Mr. COURTNEY, Mr. CLAY, Mrs. FLETCHER, and Mr. JEFFRIES.
H.R. 1776: Mr. CORREA and Mrs. AXNE.
H.R. 1794: Mr. PALAZZO.
H.R. 1840: Mr. KEVIN HERN of Oklahoma.
H.R. 1868: Mr. García of Illinois.
H.R. 1873: Mr. WITTMAN and Mr. BEYER.
H.R. 2070: Mr. GOTTHEIMER.
H.R. 2073: Mr. KATKO.
H.R. 2074: Ms. UNDERWOOD.
H.R. 2086: Mr. PANETTA.
H.R. 2117: Ms. STEVENS and Mrs. CAROLYN B. MALONEY of New York.
H.R. 2148: Mr. CLAY.
H.R. 2168: Mr. BILIRAKIS.
H.R. 2179: Mr. PASCRELL.
H.R. 2200: Mr. BERGMAN.
H.R. 2258: Ms. DEAN.
H.R. 2264: Mr. CÁRDENAS.
H.R. 2350: Mr. RIGGLEMAN, Ms. SEWELL of Alabama, Mrs. MURPHY of Florida, Mr. BALDERSON, Mr. COLE, Mr. ADERHOLT, and Mr. TURNER.
H.R. 2491: Mr. HECK.
H.R. 2577: Mrs. HAYES.
H.R. 2616: Mr. GARCÍA of Illinois.
H.R. 2629: Mr. LAMB.
H.R. 2650: Mr. KIM.
H.R. 2653: Ms. MATSUI and Ms. BASS.
H.R. 2694: Mr. CLAY, Mr. PALLONE, Mr. BRINDISI, and Mr. BALDERSON.
H.R. 2711: Mr. FOSTER, Ms. WILD, Ms. SCHAKOWSKY, and Ms. MENG.
H.R. 2733: Mr. PALLONE.
H.R. 2777: Mr. ALLRED.
H.R. 2895: Mr. POSEY.
H.R. 2896: Ms. OCASIO-CORTEZ and Mr. KIM.
H.R. 2912: Mr. VELA, Mrs. LAWRENCE, and Mr. KILDEE.
H.R. 2931: Ms. WILD and Mr. LARSEN of Washington.
H.R. 3077: Mr. CUELLAR and Mrs. MILLER.
H.R. 3107: Mr. MOONEY of West Virginia, Mr. CRENSHAW, Mrs. MILLER, Mr. SMITH of Missouri, Ms. WILSON of Florida, Mr. HIMES, Mr. KRISHNAMOORTHI, and Mr. PHILLIPS.
H.R. 3114: Mr. JEFFRIES.
H.R. 3219: Mr. JEFFRIES, Mr. MALINOWSKI, and Mr. LARSEN of Washington.
H.R. 3222: Mr. LEWIS.
H.R. 3414: Mr. LAMB and Mr. SIRES.
H.R. 3493: Mr. YOUNG and Mr. LARSEN of Washington.
H.R. 3582: Ms. WILD.
H.R. 3645: Mr. SIRES.
H.R. 3689: Mrs. BEATTY and Ms. DELBENE.
H.R. 3708: Mr. NORMAN and Mr. GALLAGHER.
H.R. 3711: Ms. MCCOLLUM.
H.R. 3742: Mr. MCCAUL.
H.R. 3815: Ms. BASS.
H.R. 3879: Mr. WESTERMAN.
H.R. 3956: Mr. LYNCH.
H.R. 3957: Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 3962: Mr. ROUDA and Mr. SOTO.
H.R. 3975: Mr. STEUBE.
H.R. 3976: Mr. TAYLOR.
H.R. 3979: Mr. PHILLIPS.
H.R. 4069: Mr. ROONEY of Florida.
H.R. 4092: Ms. PINGREE.
H.R. 4098: Mr. MARSHALL.
H.R. 4100: Mr. SMITH of Missouri.
H.R. 4107: Ms. MATSUI.
H.R. 4132: Mr. HURD of Texas and Mr. SERRANO.
H.R. 4189: Mr. RESCHENTHALER and Mr. COOK.
H.R. 4269: Mr. KHANNA.
H.R. 4305: Mr. RUIZ.
H.R. 4326: Mr. RUSH.
H.R. 4350: Ms. BONAMICI.
H.R. 4359: Ms. HAALAND.
H.R. 4393: Ms. BONAMICI, Ms. SEWELL of Alabama, Ms. WEXTON, and Ms. KELLY of Illinois.
H.R. 4487: Mr. POCAN.
H.R. 4542: Mr. BUCHANAN and Mr. DIAZ-BALART.
H.R. 4674: Ms. VELÁZQUEZ.
H.R. 4705: Mr. HASTINGS and Mr. CLAY.
H.R. 4748: Mr. ALLRED.
H.R. 4764: Mr. HARDER of California and Mr. RUSH.
H.R. 4794: Mr. TAYLOR.
H.R. 4840: Mr. GRIJALVA.
H.R. 4881: Mr. JOHN W. ROSE of Tennessee.
H.R. 4926: Mr. SMITH of New Jersey.
H.R. 4964: Mr. BALDERSON.
H.R. 4971: Mr. GRIFFITH and Mr. WITTMAN.
H.R. 4986: Mrs. HAYES.
H.R. 5002: Mr. MOULTON.
H.R. 5036: Mr. KIM and Mr. KIND.
H.R. 5037: Mr. TAYLOR.
H.R. 5044: Mr. TIMMONS.
H.R. 5046: Mr. CUNNINGHAM.
H.R. 5052: Mr. CARSON of Indiana.
H.R. 5080: Mr. CUNNINGHAM and Mr. STEUBE.
H.R. 5117: Mr. HAGEDORN.
H.R. 5138: Mr. HARDER of California and Ms. GARCIA of Texas.
H.R. 5175: Mr. BUDD, Mr. LUCAS, and Mr. LUETKEMEYER.
H.R. 5284: Mr. PAPPAS.
H.R. 5288: Mr. LOEBSACK.
H.R. 5289: Mrs. LESKO and Mr. BYRNE.
H.R. 5297: Mr. DEUTCH, Mr. KUSTOFF of Tennessee, and Mr. HUDSON.
H.R. 5308: Ms. GARCIA of Texas and Mr. MOULTON.
H.R. 5326: Ms. JUDY CHU of California.
H.R. 5390: Mr. CASE.
H.R. 5408: Mr. LOUDERMILK.
H.R. 5423: Ms. MENG.
H.R. 5427: Mrs. MILLER and Mr. BALDERSON.
H.R. 5448: Mr. GRIJALVA.
H.R. 5465: Ms. TITUS.
H.R. 5466: Mr. HASTINGS.
H.R. 5467: Mr. ARMSTRONG.
H.R. 5492: Ms. LOFGREN and Mr. POCAN.
H.R. 5494: Ms. MOORE.
H.R. 5503: Mr. TRONE.
H.R. 5507: Mr. SMITH of New Jersey.
H.R. 5528: Mr. VAN DREW.
H.R. 5534: Mr. LATTA.
H.R. 5543: Ms. SLOTKIN.
H.R. 5546: Mr. COHEN and Mrs. RODGERS of Washington.
H.R. 5549: Ms. LEE of California, Mr. RUSH, Ms. MOORE, and Mr. THOMPSON of Mississippi.
H.R. 5552: Ms. SCANLON, Mr. HASTINGS, Mr. POCAN, and Mr. COOPER.
H.R. 5554: Mr. HUFFMAN.
H.R. 5563: Mr. POCAN.
H.R. 5570: Mr. MURPHY of North Carolina.
H.R. 5581: Mr. ENGEL, Ms. LEE of California, Mr. LEVIN of Michigan, Mr. KILDEE, and Mr. GALLEGO.
H.R. 5594: Mr. GIANFORTE, Mr. NORMAN, and Mr. ARMSTRONG.
H.R. 5602: Ms. JACKSON LEE, Mr. SMITH of Washington, Mr. HUFFMAN, and Mr. QUIGLEY.
H.R. 5605: Mr. STANTON.
H.R. 5637: Mr. AGUILAR, Ms. STEVENS, and Mr. ROSE of New York.
H.R. 5659: Mr. MOULTON.
H.R. 5669: Mr. COSTA.
H.R. 5675: Ms. MCCOLLUM.
H.R. 5703: Mrs. WATSON COLEMAN and Mr. TONKO.
H.R. 5708: Mr. WEBER of Texas.
H.R. 5744: Mr. NEWHOUSE and Mr. NORMAN.
H.R. 5751: Mr. BLUMENAUER, Mr. RYAN, and Mr. CARSON of Indiana.
H. Res. 174: Mrs. CAROLYN B. MALONEY of New York.
H. Res. 189: Mr. GOTTHEIMER.
H. Res. 452: Mr. DEUTCH.
H. Res. 512: Mr. ROONEY of Florida.
H. Res. 734: Mr. BUCSHON and Mr. KING of New York.
H. Res. 745: Mr. GARCÍA of Illinois and Mrs. WATSON COLEMAN.
H. Res. 797: Mr. CROW.
H. Res. 805: Mr. GALLAGHER.
H. Res. 810: Ms. JACKSON LEE, Mr. HILL of Arkansas, Mr. WILLIAMS, Mr. ALLEN, Mr. DUNN, Mr. LAMALFA, Mr. WEBER of Texas, Mr. GIBBS, Mr. BAIRD, and Mr. BACON.
H. Res. 813: Ms. ESHOO.
H. Res. 815: Ms. MENG, Mr. BISHOP of Georgia, Mr. GRIJALVA, and Mrs. KIRKPATRICK.
H. Res. 821: Mr. DEFAZIO.
H. Res. 826: Mr. KENNEDY, Mr. ENGEL, Mr. RUIZ, Ms. DAVIDS of Kansas, Mr. KILDEE, and Ms. FINKENAUER.
H. Res. 829: Mr. LEWIS, Mrs. BEATTY, Mr. BISHOP of Georgia, Ms. BLUNT ROCHESTER, Mr. BROWN of Maryland, Mr. BUTTERFIELD, Mr. HASTINGS, Ms. NORTON, Mr. HORSFORD, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mrs. LAWRENCE, Mr. MEEKS, Mr. RICHMOND, Mr. RUSH, Ms. SCANLON, Mr. VEASEY, Mrs. WATSON COLEMAN, and Mr. CLAY.

CONGRESSIONAL EARMARKS, LIMITED TAXZ BENEFITS OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. NEAL

The provisions that warranted a referral to the Committee on Ways and Means in H.R. 5687 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 rule XXI.

OFFERED BY MR. YARMUTH

The provisions that warranted a referral to the Committee on the Budget in H.R. 5687 do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative MORELLE to H.R. 2474, the Protecting the Right to Organize Act of 2019, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.J. Res. 25: Mr. SPANO.

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

Vol. 166 WASHINGTON, WEDNESDAY, FEBRUARY 5, 2020 *No. 24*

Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Strong Deliverer, our shelter in the time of storms, we acknowledge today that You are God and we are not. You don't disappoint those who trust in You, for You are our fortress and bulwark.

Lord, show our Senators Your ways and teach them to walk in Your path of integrity.

Through the seasons of our Nation's history, You have been patient and merciful. Mighty God, be true to Your name. Fulfill Your purposes for our Nation and world.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. BLACKBURN). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. I ask unanimous consent to speak for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESCRIPTION DRUG COSTS

Mr. GRASSLEY. Last night, in the State of the Union Address, President Trump called on Congress to put bipartisan legislation to lower prescription drug prices on his desk and that he would sign it.

Here are the facts. The House is controlled by Democrats. The Senate requires bipartisanship to get any legislating done. There are only a couple of months left before the campaign season will likely impede anything from being accomplished in this Congress. So the time to act is right now.

I am calling on my colleagues on both sides of the aisle to get off the sidelines and to work with me and Senator WYDEN, as President Trump already is, to heed the call to action that he gave us last night and pass the Prescription Drug Pricing Reduction Act. It is the only significant bipartisan bill in town. President Trump, the AARP, and the libertarian Cato think tank, to name just a few people involved, have all endorsed the bill.

If you are serious about fulfilling promises to lower drug costs, my office door is open, as Senator WYDEN's door is open. It is time for the Senate to act and to deliver for the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

IMPEACHMENT

Mr. MERKLEY. Madam President, as Senators, our decisions build the foundation for future generations. I want those generations to know that I stood here on the floor of this Chamber fighting for equal justice under law. I stood here to defend our Senate's responsibility to provide a fair trial with witnesses and documents. I stood here to say that when our President invites and pressures a foreign government to smear a political opponent and corrupt the integrity of our 2020 Presidential election, he must be removed from office.

As a number of my Republican colleagues have confessed, the House managers have proven their case. President Trump did sanction a corrupt conspiracy to smear a political opponent, former Vice President Joe Biden. President Trump assigned Rudy Giuliani, his personal lawyer, to accomplish that goal by arranging sham investigations by the Government of Ukraine. President Trump advanced his corrupt scheme by instructing the three amigos—Ambassador Volker, Secretary of Energy Rick Perry, and Ambassador Gordon Sondland—to work with Rudy for this goal. President Trump did use the resources of America, including an Oval Office meeting and security assistance to pressure Ukraine, which was at war with Russia, to participate in this corrupt conspiracy. The facts are clear.

But do President Trump's acts rise to the level the Framers envisioned for removal of a President, or are they, as some colleagues in this Chamber have said, simply ''inappropriate,'' but not ''impeachable''? With respect to those colleagues, ''inappropriate'' is lying to the public; ''inappropriate'' is shunning our allies or failing to put your personal assets into a blind trust or encouraging foreign governments to patronize your properties. That is something you might call ''inappropriate,'' but that word does not begin to encompass President Trump's actions in this case—a corrupt conspiracy comprising a fundamental assault on our Constitution.

This conspiracy is far worse than Watergate. Watergate was about a break-in to spy on the Democratic National Committee—bad, yes; wrong, definitely. But Watergate didn't involve soliciting foreign interference to destroy the integrity of an election. It didn't involve an effort to smear a political opponent. Watergate did not involve an across-the-board blockade of access by Congress to witnesses and documents.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

If you believe that Congress was right to conclude that President Nixon's abuse of power merited expulsion from office, you have no choice but to conclude that President Trump's corrupt conspiracy merits his expulsion from office.

President Trump should be removed from office this very day by action in this very Chamber, but he will not be removed because this Senate has failed to conduct a full and fair trial to reveal the extensive dimensions of his conspiracy and because the siren call to party loyalty over country has infected this Chamber.

Every American understands what constitutes a full and fair trial. A full and fair trial has witnesses. A full and fair trial has documents. A full and fair trial does not begin with the jury foreman declaring that he is working hand-in-glove with the defendant. When discussing why the Senate tries impeachments, Alexander Hamilton stated: ''Where else than in the Senate could have been found a tribunal sufficiently dignified, or sufficiently independent'' for that daunting responsibility?

Every American should feel the sadness, the darkness, the tragedy of this moment in which this Senate is neither sufficiently dignified nor sufficiently independent for that responsibility.

The Senate trial became a coverup when the majority voted on January 22 and again on January 31 to block all access to witnesses and documents. If this coverup goes forward, it will be the latest in a set of corrupt firsts this Senate has achieved under Republican leadership.

It has been the first Senate to ignore our constitutional responsibilities to debate and vote on a Supreme Court nominee in 2016. It became the first Senate to complete the theft of a Supreme Court seat from one administration giving it to another in 2017.

And now, it becomes the first Senate in American history to replace an impeachment trial with a coverup. President Trump might want to consider this: With a coverup in lieu of a trial, there is no ''exoneration,'' no matter how badly President Trump might want it. No matter how boldly he might claim it, there is no ''exoneration'' from a coverup.

If this Senate fails to convict President Trump when we vote later today, we destroy our constitutional responsibility to serve as a check against the abuses of a runaway President. It is a devastating blow to the checks and balances which have stood at the heart of our Constitution.

Our tripartite system is like a three-legged stool, where each leg works in balance with the others. If one leg is cracked or weakened, well, that stool topples over. If the Senate's responsibility is gutted and the limits on Presidential power are undermined, then, there is lasting damage to the checks and balances our Founders so carefully crafted.

Let's also be clear. The situation that we find ourselves in today didn't spring out of nowhere. With respect to the Chief Justice, the road to this moment has been paved by decisions made in the Supreme Court undermining the ''We the People'' Republic, while Justice Roberts has led the Court—decisions like Citizens United in 2010, which corrupted our political campaigns with a flood of dark money, the equivalent of a stadium sound system drowning out the voice of the people; decisions like Shelby County in 2013, which gutted the Voting Rights Act, opening the door to voter suppression and voter intimidation—if you believe in our Republic, you believe in voter empowerment, not voter supression—decisions like Rucho V. Common Cause in 2019, giving the green light to extreme partisan gerrymandering, in which politicians choose their voters rather than voters choosing their politicians. It is one blow after another giving more power to the powerful and undermining the vision of government of, by, and for the people—blow after blow making officials more responsive to the rich and wealthy donors than the people they are elected to represent.

These Supreme Court decisions have elevated government by and for the powerful, and trampled government by and for the people, paving the path for this dark moment in which the U.S. Senate chooses to defend a corrupt President by converting a trial into a coverup. A trial without access to witnesses and documents is what one expects of a corrupted court in Russia or China, not the United States of America.

We know what democracy looks like, and it is not just about having the Constitution or holding elections. Our democracy is not set in stone. It is not guaranteed by anything other than the good will and good faith of the people of this country. Keeping a democracy takes courage and commitment. As the saying goes, ''freedom isn't free.'' It is an inheritance bequeathed to us by those who have fought and bled and died to ensure that government ''of the people, by the people, for the people shall not perish from the Earth.''

Fighting for that inheritance doesn't only happen on the battlefield. It happens when Americans everywhere go to the polls to cast a ballot. It happens when ordinary citizens, distraught at what they are seeing, speak up, join a march, or run for office to make a difference. And it happens here in this Chamber—in this Senate Chamber—when Senators put addressing the challenges of our country over the pressures from their party.

Before casting their votes today, I urge each and every one of my colleagues to ask themselves: Will you defend the integrity of our elections? Will you deliver impartial justice? Will you protect the separation of powers—the heart of our Constitution? Will you uphold the rule of law and the inspiring words carved above the doors of our Supreme Court, ''Equal Justice Under Law''?

I stand here today in support of our Constitution, which has made our Nation that shining city on a hill. I stand here today for equal justice under law. I stand here today for a full and fair trial as our Constitution demands. I stand here today to say that a President who has abused this office by soliciting a foreign country to intervene in the election of 2020 and bias the outcome—betraying the trust of the American people and undermining the strength of our Constitution—must be removed from office.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

STATE OF THE UNION ADDRESS

Mr. SCHUMER. Madam President, I will speak later this afternoon, at about 3:30—prior to the vote on the Articles of Impeachment—about impeachment, but this morning, I would like to briefly respond to President Trump's third State of the Union Address. It was a sad moment for democracy.

The President's speech last night was much more like a Trump rally than a speech a true leader would give. It was demagogic, undignified, highly partisan, and, in too many places, just untruthful. Instead of a dignified President, we had some combination of a pep rally leader, a reality show host, and a carnival barker. That is not what Presidents are.

President Trump took credit for inheriting an economy that has been growing at about the same pace over the last 10 years. The bottom line is, during the last 3 years of the Obama administration, more jobs were created than under these 3 years of the Trump administration. Yet he can't resist digging at the past President even though the past President's economic number was better than his.

He boasted about how many manufacturing jobs he has created. Manufacturing jobs have gone down, in part, because of the President's trade policies for 5 months late last year. There was a 5-month-long recession last year. Farmers are struggling mightily. Farm income is way down. Bankruptcies are the highest they have been in 8 years. Crop prices are dwindling, and markets may never recover from the damage of the President's trade war as so many contracts for soybeans and other goods have gone to Argentina and Brazil. These are not 1-year contracts; these are long-term contracts.

The President talked at length about healthcare and claimed—amazingly at one point—he will fight to protect patients with preexisting conditions. This President just lies—just lies. He is in court right now, trying to undo the protections for preexisting conditions. At the same time, he says he wants to do it, and all the Republicans get up

and cheer. His administration is working as hard as it can to take down the law that guarantees protections for preexisting conditions. The claim is not partly true; it is not half true; it is not misleading. It is flatly, objectively, unequivocally false. It reads on my notes ''false.'' Let's call it for what it is—it is a lie.

In 3 years, President Trump has done everything imaginable to undermine Americans' healthcare. He is even hoping to drag out the resolution of the lawsuit past the next election. If President Trump were truly interested in shoring up protections for people with preexisting conditions, he would drop this lawsuit now. Then he would be doing something, not just talking and having his actions totally contradict his words. Until the President drops his lawsuit, when he says he cares about Americans' healthcare, he is talking out of both sides of his mouth.

When he talks about being the blue-collar President, he doesn't understand blue-collar families. It is true that wages went up 3 percent. If you are making $50,000 a year, that is a good salary. By my calculation, that is about $30 a week. When you get a medical bill of $4,000 and your deductible is $5,000, when your car has an accident and it is going to cost you $3,000 or $4,000 to fix it and you don't have that money, the $30 a week doesn't mean much.

When asked, ''Is it easier for you to pay your bills today or the day Trump became President?'' they say it is harder to pay their bills today. That is what working families care about, getting their costs down—their college costs, their education costs, their healthcare costs, their automobile and infrastructure costs—not these vaunted Wall Street statistics that the financial leaders look at and think: Oh, we are great.

They are great. Their 3-percent increase in income—and it has been greater—puts a lot of money in their pockets. Working people don't feel any better—they feel worse—because Donald Trump always sides with the special interests when it comes to things that affect working families, like health care, like drug costs, like college.

In so many other areas, the President's claims were just not true. He claimed he has gotten tough on China. He sold out to China a month ago. Everyone knows that. Because he has hurt the farmers so badly, the bulk of what happened in the Chinese agreement was for them to purchase some soybeans. We don't even know if that will happen, but it didn't get at the real ways China hurts us.

He spoke about the desire for a bipartisan infrastructure bill. We Senate Democrats put together a $1 trillion bill 3 years ago, and the President hasn't shown any interest in discussing it. In fact, when Speaker PELOSI and I went to visit him about infrastructure, he walked out.

This is typical of Donald Trump. In his speech, he bragged about all of these things he wants to do or is doing, but his actions belie his words. Maybe the best metaphor was his claim to bring democracy to Venezuela. There was a big policy there. It flopped. If the policy were working, Juan Guaido wouldn't have been in the balcony here. He would have been in Venezuela. He would have been sitting in the President's palace or at least have been waging a fight to win. He was here—and the President brags about his Venezuela policy? Give us a break.

He hasn't brought an end to the Maduro regime. The Maduro regime is more powerful today and more entrenched today than it was when the President began his anti-Maduro fight—the same thing with North Korea, the same thing with China, the same thing with Russia, the same thing with Syria.

The fact is, when President Trump gets over an hour to speak, the number of mistruths, mischaracterizations, exaggerations, and contradictions is breathtaking. No other President comes close. The old expression says: ''Watch what I do, not what I say.''

What the President does will be revealed on Monday in his budget. That is what he wants to do. If past is prologue, almost everything in that budget will contradict what he will have said in his speech. In the past, he has cut money for healthcare, cut money for medical research, cut money for infrastructure, cut money for education, cut money to help kids with college—every one of those things.

Ladies and gentlemen, I have faith in the American people. They will not be fooled. They are used to it. They can tell a little show here—a nonreality show—when they see one. They know it is a show. It is done for their amusement, for their titillation, but it doesn't improve America. Working people are not happy. The middle class is struggling to stay in the middle class, and those struggling to get to the middle class find it harder to get there. Their path is steeper.

Far more than the President's speech, the President's budget is what truly reveals his priorities. The budget will be the truth serum, and in a few days, the American people will see how many of the President's words here are reality. I expect very few will be.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Madam President, I ask unanimous consent that following my oral remarks that my more extensive, written remarks that I have prepared be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

IMPEACHMENT

Mr. CORNYN. Madam President, over the last months, our country has been consumed by a single word, one that we don't use often in our ordinary parlance. That word, of course, is ''impeachment.'' It has filled our news channels, our Twitter feeds, and dinner conversations. It has led to a wide-ranging debate on everything from the constitutional doctrines of the separation of powers to the due process of law—two concepts which are the most fundamental building blocks of who we are as a nation. It has even prompted those who typically have no interest in politics to tune into C–SPAN or into their favorite cable news channels.

The impeachment of a President of the United States is simply the gravest undertaking we can pursue in this country. It is the nuclear option in our Constitution—the choice of last resort—when a President has committed a crime so serious that Congress must act rather than leave the choice to the voters in the election.

The Framers of the Constitution granted this awesome power to the U.S. Congress and placed their confidence in the Senate to use only when absolutely necessary, when there is no other choice.

This is a rare, historic moment for the Members of this Chamber. This has been faced by the Senate only on two previous occasions during our Constitution's 232-year history—only two times previously. We should be extraordinarily vigilant in ensuring that the impeachment power does not become a regular feature of our differences and, in the process, cheapen the vote of the American people. Soon, Members of the Senate will determine whether, for the first time in our history, a President will be removed from office, and then we will decide whether he will be barred from the ballot in 2020.

The question all Senators have to answer is, Did the President commit, in the words of the Constitution, a high crime and misdemeanor that warrants his removal from office or should he be acquitted of the charges made by the House?

I did my best to listen intently to both sides as they presented their cases during the trial, and I am confident in saying that President Trump should be acquitted and not removed from office.

First, the Constitution gives the Congress the power to impeach and remove a President from office only for treason, bribery, and other high crimes and misdemeanors, but the two Articles of Impeachment passed by the House of Representatives fail to meet that standard.

The first charge, as we know, is abuse of power. House Democrats alleged that the President withheld military aid from Ukraine in exchange for investigations of Joe and Hunter

Biden. But they failed to bring forward compelling and unassailable evidence of any crime—again, the Constitution talks about treason, bribery, or other high crimes and misdemeanors; clearly, a criminal standard—and thus failed to meet their burden of proof. Certainly, the House managers did not meet the high burden required to remove the President from office, effectively nullifying the will of tens of millions of Americans just months before the next election. What is more, the House's vague charge in the first article is equivalent to acts considered and rejected by the Framers of our Constitution.

That brings us to the second article we are considering—obstruction of Congress. During the House inquiry, Democrats were upset because some of the President's closest advisers—and their most sought-after witnesses—did not testify. To be clear, some of the executive branch witnesses were among the 13 witnesses whose testimony we did hear during the Senate trial. But for those witnesses for whom it was clear the administration would claim a privilege, almost certainly leading to a long court battle, the House declined to issue the subpoenas and certainly did not seek judicial enforcement. Rather than addressing the privilege claims in court, as happened in the Nixon and Clinton impeachments, the Democratic managers moved to impeach President Trump for obstruction of Congress for protecting the Presidency itself from a partisan abuse of power by the House.

Removing the President from office for asserting long-recognized and constitutionally grounded privileges that have been invoked by both Republican and Democratic Presidents would set a very dangerous precedent and would do violence to the Constitution's separation of powers design. In effect, it would make the Presidency itself subservient to Congress.

The father of our Constitution, James Madison, warned against allowing the impeachment power to create a Presidential tenure at the pleasure of the Senate.

Even more concerning, at every turn throughout this process, the House Democrats violated President Trump's right to due process of law. All American law is built on a constitutional foundation securing basic rights and rules of fairness for a citizen accused of wrongdoing.

It is undisputed that the House excluded the President's legal team from both the closed-door testimony and almost the entirety of the House's 78-day inquiry. They channeled personal, policy, and political grievances and attempted to use the most solemn responsibility of Congress to bring down a political rival in a partisan process.

It is no secret that Democrats' crusade to remove the President began more than 3 years ago on the very day he was inaugurated. On January 20, 2017, the Washington Post ran a story with the headline ''The campaign to impeach President Trump has begun.''

At first, Speaker PELOSI wisely resisted. Less than a year ago, she said, ''Impeachment is so divisive to the country that unless there is something so compelling and overwhelming and bipartisan, I don't think we should go down that path because it divides the country.'' And she was right. But when she couldn't hold back the stampede of her caucus, she did a 180-degree about-face. She encouraged House Democrats to rush through an impeachment inquiry before an arbitrary Christmas deadline.

In the end, the articles passed with support from only a single party—not bipartisan. The bipartisanship the Speaker claimed was necessary was actually opposed to the impeachment of the President; that is, Democrats and Republicans voted in opposition to the Articles of Impeachment. Only Democrats voted for the Articles of Impeachment in the House.

Once the articles finally made it to the Senate after a confusing, 28-day delay, Speaker PELOSI tried to have Senator SCHUMER—the Democratic leader here—use Speaker PELOSI's playbook, and he staged a number of political votes every Member of the Senate knew would fail, just so he could secure some perceived political advantage against Republican Senators in the 2020 election.

What should be a solemn, constitutional undertaking became partisan guerilla warfare to take down President Trump and make Senator SCHUMER the next majority leader of the U.S. Senate.

All of this was done on the eve of an election and just days shy of the first primary in Iowa.

Well, to say the timing was a coincidence would be laughable. This partisan impeachment process could not only remove the President from office, it would also potentially prevent his name from appearing on the ballot in November. We are only 9 months away from an election—9 months away from the American people voting on the direction of our country—but our Democratic colleagues don't trust the American people, so they have taken matters into their own hands.

This politically motivated impeachment sets a dangerous precedent. This is a very important point. This is not just about President Trump; this is about the Office of the Presidency and what precedent a conviction and removal would set for our Constitution and for our future. If successful, this would give a green light to future Congresses to weaponize impeachment to defeat a political opponent for any action—even a failure to kowtow to Congress's wishes.

Impeachment is a profoundly serious matter that must be handled as such. It cannot become the Hail Mary pass of a party to remove a President, effectively nullifying an election and interfering in the next.

I believe—I think we should all believe—that the results of the next election should be decided by the American people, not by Congress.

The decision to remove a President from office requires undeniable evidence of a high crime. That is the language chosen by the Framers of our Constitution. But despite our colleagues' best attempts, the facts they presented simply don't add up to that standard.

House managers failed to meet their heavy burden of proof that President Trump, beyond a reasonable doubt, committed a crime, let alone a high crime; therefore, I will not vote to convict the President.

I hope our Democratic colleagues will finally accept the result of this trial—just as they have not accepted the result of the 2016 election—and I hope they won't take the advice of Congresswoman WATERS, MAXINE WATERS in the House, and open a second impeachment inquiry. It is time for our country to come together to heal the wounds that divide us and to get the people's work done.

There is no doubt, as Speaker PELOSI observed in March of 2019, that impeachment is a source of division in our country, and it is also a period of great sadness. If this partisan impeachment were to succeed, my greatest fear is it would become a routine process for every President who serves with a House majority of the opposite party, and we would find ourselves in a recurring impeachment nightmare every time we elect a new President.

Our country is deeply divided and damaged by this partisan impeachment process. It is time for us to bring it to a close and to let the wounds from this unnecessary and misguided episode heal.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT FOR THE RECORD—IMPEACHMENT TRIAL OF DONALD JOHN TRUMP

SENATOR JOHN CORNYN OF TEXAS

Mr. President, I would like to submit this statement for the record regarding the impeachment trial of President Donald Trump. This statement seeks to supplement the remarks that I made on the Senate floor on Wednesday, February 5, 2020. It includes some of my observations as a former judge on some of the complicated constitutional, legal, and factual issues associated with this impeachment proceeding and its implications for future presidential impeachments.

(1) What is the Constitutional standard?

In America, all government derives its power, in the words of the Declaration of Independence, ''from the consent of the governed.''[1] This is not just a statement of national policy, but a statement about legitimacy.

Elections are the principal means of conferring legitimacy by the consent of the governed. Impeachments, by the House and tried in the Senate, while conferring authority on 535 Members of Congress to nullify one election and disqualify a convicted President from appearing on a future ballot, exercise delegated power from the governed, much attenuated from the direct consent provided by

an election. It seems obvious that an impeachment of a President during an election year should give rise to heightened concerns about legitimacy.

While there was extensive argument on what the Framers intended the impeachment standard to be, suffice it to say, they believed it should be serious enough to warrant removal, and disqualification from future office, of a duly elected President.

The role of impeachments in a constitutional republic like the United States was borrowed, to some extent, from our British forebears. But it was not a wholesale acceptance of the British model, with its parliamentary system where entire governments can be removed on a vote of no confidence, but rather a distinctly Americanized system that purposefully created a strong and co-equal chief executive, elected by the people for a definite term, with a narrowed scope of impeachable offenses for the President.

Under the U.S. Constitution, Presidents may be impeached for ''treason, bribery, and other high crimes and misdemeanors.'' Due to the rarity of presidential impeachments (three in 232 years), the age of some precedents (dating back to the Johnson impeachment of 1868), and the diversity of impeachment cases (and in particular, the significant difference between the impeachment of judges and Presidents), there remains quite a bit of debate about precisely what actions by a President are impeachable.

Some argue a crime is not required, although all previous presidential impeachments charged a crime. Some argue that not all crimes are impeachable, only serious crimes can be ''high'' crimes. Some categories, including ''malversation,'' ''neglect of duty,'' ''corruption,'' ''malpractice,'' and ''maladministration'' were considered and rejected by the Framers.[2]

(2) Abuse of power

The President's lawyers charge that ''abuse of power'' alleged in the first Article of Impeachment is not a crime, much less a ''high'' crime, nor a violation of established law. This argument raises Due Process of Law concerns with regard to notice of what is prohibited. As Justice Antonin Scalia observed shortly before his death in the criminal context, ''invoking so shapeless a provision to condemn someone . . . does not comport with the Constitution's guarantee of due process.''[3]

Moreover, they argue that ''abuse of power'' is tantamount to ''maladministration,'' which was rejected by the Framers. There is little doubt that a vague and ambiguous charge in an Article of Impeachment can be a generalized accusation into which the House can lump all of their political, policy, and personal differences with a President. This should be avoided.

The House Managers say no crime is required for impeachment, and that abuse of power, which incorporates a host of nefarious acts, is all that is required. No violation of criminal statutes is alleged, nor required they say, and they disagree that abuse of power equates with ''maladministration.'' They point to Alexander Hamilton's statement in Federalist 65 that impeachable offenses are ''those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust.''

(3) Obstruction of Congress.

The House Permanent Select Committee on Intelligence issued dozens of subpoenas and heard testimony from 17 witnesses. As to other witness subpoenas issued to members of the Trump Administration, White House Counsel Pat Cipollone argued in his October 8, 2019 letter to Speaker of the House Pelosi that any subpoenas issued before passage of a formal resolution of the House establishing an impeachment inquiry were constitutionally invalid and a violation of due process. The House Managers rely on the Constitution's grant of the ''sole power of impeachment'' to the House and argue that no authorizing resolution was required. Essentially, they argue that under the Constitution the House can run an impeachment inquiry any way the House wants and no one can complain.

No committee of the House was officially delegated the House's impeachment authority until October 31, 2019, when the House passed House Resolution 660 directing ''the Permanent Select Committee on Intelligence and the Committees on Financial Services, Foreign Affairs, the Judiciary, Oversight and Reform, and Ways and Means to continue their ongoing investigations as part of the existing House of Representatives inquiry into whether sufficient grounds exist for the House of Representatives to exercise its constitutional power to impeach Donald John Trump, President of the United States.''

Neither the House's theory that it could act without a delegation resolution, nor the White House Counsel's argument that subpoenas were void without one was presented to a court during this impeachment inquiry.[4] In fact, the House intentionally avoided litigation because, as House Manager Adam Schiff stated, it would slow down their inquiry.

One example makes this point. Charles Kupperman was a deputy to former National Security Advisor John Bolton. Other than Bolton himself, Kupperman was one of the officials most likely to have direct knowledge of an alleged quid pro quo on aid to Ukraine. But after the House subpoenaed him last fall, Kupperman went to court and asked for a resolution of the competing claims between the President and the House. Rather than wait for a judicial determination in this interbranch dispute, the House withdrew its subpoena and affirmatively disclaimed any desire to pursue Kupperman's testimony in the future.[5] The House also decided not to subpoena Bolton or any other key witnesses in the administration.

Instead, the House elected to push through impeachment with an abbreviated period of roughly three months and declared any delay by President Trump, even to seek judicial review, to be obstruction of Congress and a high crime and misdemeanor. The Administration is currently in court challenging demands for witnesses and documents. Just a couple weeks ago, the Supreme Court accepted such cases for review and stayed the lower court decisions ordering the production of President Trump's financial records from third parties.[6] Still, the House impeached President Trump before the Supreme Court or other federal courts could rule on the merits of claims of presidential privileges and immunities in this impeachment inquiry.

The essence of the House's second Article of Impeachment is that it is Obstruction of Congress to decline to voluntarily submit to the House's inquiry and forgo any claims of presidential privileges or immunities. One interpretation of these facts is that the House simply gave up pursuing the testimony in the interest of speed. While undoubtedly litigation would have delayed for a time the House's impeachment inquiry if they were determined to secure the testimony they initially sought, it is clear that the President, and not the witnesses, would assert claims of executive privilege or absolute testimony immunity to protect the Office of the Presidency. These claims are constitutionally based in the separation of powers, long-recognized by the Department of Justice's Office of Legal Counsel, and repeatedly asserted by both Republican and Democratic Administrations in countless disputes with Congress. And since the House did not pursue the testimony originally subpoenaed, the issue of presidential privileges or immunity was never decided.[7]

But that is not all. Representative Eric Swalwell recently declared that not only should a sitting president be impeached if he or she goes to the courts rather than submit to Congress, but that contesting demands for evidence is actually evidence of guilt on all of the charged offenses. Congressman Swalwell claimed ''we can only conclude that you are guilty'' if someone refuses to give testimony or documents to Congress.[8] So much for the presumption of innocence and other constitutional rights encompassed by the Constitution's guarantee of Due Process of Law.

It is an odd argument that a person accused of running a red light has more legal rights than a President being impeached.

(4) The House's impeachment inquiry

The House Managers argue that since Article 1, Section 2 of the Constitution gives the House the ''sole power of impeachment,'' the President cannot question the procedures as a denial of Due Process of Law or authority by which that House produced the Articles. What they don't explain is how House rules can preempt the Constitution. They can't. As Chief Justice John Marshall wrote in *Marbury v. Madison*, ''the Constitution is superior to any ordinary act of the legislature, [and] the Constitution, and not such ordinary act, must govern the case to which they both apply.''[9]

While the Constitution gives the House the ''sole power to impeach'' it gives the Senate the ''sole power to try all impeachments.'' Some have analogized the House's role to a grand jury in criminal cases. Generally speaking, a grand jury may issue an indictment, also known as a ''true bill,'' only if it finds, based upon the evidence that has been presented to it, that there is probable cause to believe that a crime has been committed by a criminal suspect.

But impeachment is not, strictly speaking, a criminal case, even though the Constitution speaks in terms of ''conviction'' and the impeachment standard is ''treason, bribery, or other high crimes and misdemeanors.'' Contrast that with Article 1, Section 3, Clause 7: ''the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.'' In other words, the constitutional prohibition of double jeopardy does not apply.

Neither are Senators jurors in the usual sense of being ''disinterested'' in the facts or outcome. Senators take the following oath: ''Do you solemnly swear that in all things appertaining to the trial of the impeachment of Donald John Trump, President of the United States, now pending, you will do impartial justice according to the Constitution and laws, so help you God?''

Hamilton wrote in Federalist 65 the Senate was chosen as the tribunal for courts of impeachment because:

''Where else than in the Senate could have been found a tribunal sufficiently dignified, or sufficiently independent? What other body would be likely to feel confidence enough in its own situation, to preserve, unawed and uninfluenced, the necessary impartiality between an individual accused, and the representatives of the people, his accusers?''

Because impeachment is neither civil nor criminal in the usual sense, it must be something different. President Trump's counsel referred to the Senate role as sitting in a

''High Court of Impeachment,'' and ''Democracy's ultimate court.'' Hamilton, in Federalist 65, called it ''a method of national inquest.''

One of most significant disputes in the Senate impeachment trial of President Trump was the duty of the House to develop evidence during its impeachment inquiry and the duty of the Senate when new evidence is sought by one or both parties during the trial. In addressing this issue, it is helpful to remind ourselves that the American system of justice is adversarial in nature. That is, it is a system that ''resolves disputes by presenting conflicting views of fact and law to an impartial and relatively passive arbiter, who decides which side wins what.''[10] This system ''consists of a core of basic rights that recognize and protect the dignity of the individual in a free society.''[11]

The rights that comprise the adversary system include . . . the rights to call and to confront witnesses, and the right to require the government to prove guilt beyond a reasonable doubt. . . . These rights, and others, are also included in the broad and fundamental concept [of] due process of law—a concept which itself has been substantially equated with the adversary system.''[12]

The adversarial nature of these proceedings means that the House Managers were obligated to develop their case, including the evidence, in the House inquiry, and not rely on the Senate to do so. In typical court proceedings, the failure of the prosecutor to present sufficient evidence at trial results in dismissal, not in open-ended discovery or a re-opened investigation.

President Trump's lawyers argued that there were three main errors in the House proceedings:

(1) The House did not initially authorize the impeachment inquiry, thus delegating its ''sole power'' to the Intelligence Committee, which issued dozens of subpoenas the President deemed invalid;

(2) Numerous due process violations during the Intelligence Committee's proceedings, including denial of notice, counsel, cross examination, and the opportunity to call witnesses;

(3) And, finally, that as an interested fact witness regarding Intelligence Committee contacts with the whistleblower, Chairman Schiff could not be said to have fairly conducted the House investigation.

Again, the House Managers argue that the method by which the Articles of Impeachment were approved in the House cannot be challenged in the Senate trial given the House's ''sole power to impeach.''

Ominously, the President's lawyers argue that whatever precedent was set by the Senate in this trial would be the ''new normal'' and govern not just this trial but all impeachment trials in the future. They also argue that to make impeachment ''too easy'' in the House will result in more frequent presidential impeachments being approved by this and future Houses, which the Senate would then be obligated to try. Similarly, they argue that the Senate should not reward the failure of the House to litigate questions of presidential privileges and immunities in their impeachment inquiry and transfer that burden to the Senate. An important difference between the House and Senate is that House inquiries can be delegated to committees while the House conducts other business; not so in the Senate, which must sit as a court of impeachment until the trial is completed.

Thus, during a Senate impeachment trial, absent unanimous consent—unlikely given the contentious nature of the proceedings—the Senate is precluded from any other business, even during delays while executive privilege and similar issues are litigated in the courts. Given that the House chose to not seek judicial enforcement of subpoenas during its impeachment inquiry because of concerns about delay, the question is do they have a right to do so during the Senate trial? If so, the President's lawyers claim, such an outcome would significantly protract a Senate trial and permanently alter the relationship between the House and Senate in impeachment proceedings. Indeed, there is a strong textual and structural argument that the Constitution prohibits the Senate from performing the investigative role assigned to the House.

The House Managers contend that Chief Justice John Roberts could rule on questions of privilege while presiding over the impeachment trial, avoiding delay during litigation, but the Chief Justice made clear his was not a judicial role in the usual sense.[13] When the issue of whether the Chief Justice would be a tie-breaking vote came up during the trial, he said: ''I think it would be inappropriate for me, an unelected official from a different branch of government, to assert the power to change that result so that the motion would succeed.'' So it is that the Senate, not the Chief Justice presiding in an essentially ceremonial role during impeachment trials, determines disputed issues. This conclusion is further supported by the rule that a majority of Senators are empowered to effectively ''overrule'' an initial determination by the presiding officer. In the words of Senate Impeachment Rule Seven: ''The presiding officer may, in the first instance, submit to the Senate, without a division, all questions of evidence and incidental questions; but the same shall, on the demand of one-fifth of the members present, be decided by yeas and nays.'' The unseemliness of imposing this role on the Chief Justice is obvious and should be avoided.

(5) The Facts

Of course, the main factual contentions of the House Managers involve President Trump's interest in an investigation of Hunter and Joe Biden's role in Ukraine. They allege the President's ''corrupt'' motive to dig up dirt on a potential political rival is an abuse of power. The President's lawyers argue that it is clearly within the President's authority to investigate corruption and leverage foreign aid in order to combat it. Even if it incidentally helps the President electorally, they argue it is not a ''high crime and misdemeanor.''

But there are more basic factual conundrums. Any investigations discussed in the July 25 conversation between Ukrainian President Volodymyr Zelensky and President Trump never occurred. And the foreign aid, including lethal defensive aid and weapons, was paused for just a short time and delivered on September 11, 2019, before the deadline of September 30.

The abuse of power alleged was based on desired investigations and the withholding of foreign aid. But neither, ultimately, occurred. This is similar to an ''attempted'' offense under the criminal law. Indeed, the law criminalizes a host of attempted offenses. But the Articles of Impeachment do not charge President Trump with any crimes, including any ''attempted'' offenses.

(6) Burden of Proof

President Trump's counsel argued that the appropriate burden of proof in this quasi-criminal trial is ''proof beyond a reasonable doubt.'' This point was not seriously contested by the House Managers who repeatedly claimed the evidence in support of the Articles of Impeachment was ''overwhelming.'' Manager Jerry Nadler went further and claimed, repeatedly, that the evidence produced was ''conclusive'' and ''uncontested.'' Manager Zoe Lofgren argued that Senators could use, literally, any standard they wished.

This is significant on the issue of the President's motive in seeking a corruption investigation from President Zelensky, one that included former Vice President Biden and his son, Hunter, and the company on whose board he served, Burisma. The House Managers argued, repeatedly, that President Trump did not care about Ukrainian corruption or burden sharing with allies and that his sole motive was to get information damaging to a political rival, Joe Biden.

President Trump's lawyers contend that he has a record of concerns about burden sharing with allies, as well as corruption, and produced several examples. At most, they say, his was a mixed motive—partly policy, partly political—and in any event it was not a crime and thus not impeachable.

Therefore, the question arises: did the House Managers prove beyond a reasonable doubt that the sole motive for pausing military aid to Ukraine was for his personal benefit? Or, did they fail to meet their burden?

Conclusion

Ultimately, the House Managers failed to prove beyond a reasonable doubt that President Trump's sole motive for seeking any corruption investigation in Ukraine, including of Hunter Biden, was for a personal political benefit. This is particularly true given the evidence of President Trump's documented interest in financial burden sharing with allies, and the widely shared concerns, including by the Obama/Biden Administration, with corruption in Ukraine and the need to protect American taxpayers.

Even if President Trump had mixed motives—a public interest combined with a personal interest—the fact is the investigations never occurred and the aid to Ukraine was paused but delivered on schedule.

Moreover, none of the above conduct rises to the level of a ''high crime and misdemeanor.'' The first article, Abuse of Power, which charges no crime or violation of existing law is too vague and ambiguous to meet the Constitution's requirements. It is simply a conclusion into which any disagreeable conduct can be lumped.

Finally, the second article, Obstruction of Congress, cannot be sustained on this record. The President's counsel argued persuasively that its subpoenas were largely unauthorized in the absence of a House resolution delegating its authority to a House committee. What's more, the House never sought to enforce its subpoenas in the courts, essentially giving up efforts to do so in favor of expediting the House impeachment inquiry. The desire to meet an arbitrary deadline before Christmas was prioritized over a judicial determination in the interbranch dispute.

ENDNOTES

1. *See* Declaration of Independence (''We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their powers from the consent of the government.'')

2. *See* The Records of the Federal Convention of 1787 (Max Farrand, ed., 1911).

3. *Johnson v. United States*, 135 S.Ct. 2551, 2560 (2015). Chief Justice Roberts similarly relied on Justice Scalia's views when he raised due process concerns in the context of an amorphous definition of corruption in the criminal prosecution of public officials. *McDonnell v. United States*, 136 S.Ct. 2355, 2373 (2016).

4. A variation of these arguments came up in active litigation related to the House's access to testimony and evidence connected

with Special Counsel Mueller's investigation. The district courts rejected the White House Counsel's position. *See House of Representatives v. McGahn*, No. 1:19–cv–02379–KBJ, 2019 WL 6312011 (D.D.C. Nov. 25, 2019) and *In re Application of House of Representatives for Release of Certain Grand Jury Materials*, No. 1:19–gj–00048, 2019 WL 5485221 (D.D.C. Oct. 25, 2019). But those decisions are now on appeal, and the D.C. Circuit heard argument in those cases on January 3, 2020.

5. *See Kupperman v. House of Representatives*, 1:19–cv–03224–RJL, 2019 WL 729359 (D.D.C. Dec. 30, 2019).

6. *See* Order of Supreme Court dated December 13, 2019 granting certiorari in *Trump v. Mazars USA*, 940 F.3d 710 (D.C. Cir. 2019); *Trump v. Deutsche Bank*, 943 F.3d 627 (2d Cir. 2019), and *Trump v. Vance*, 941 F.3d 631 (2d Cir. 2019). The Supreme Court will hear argument in these cases on March 31, 2020.

7. Issues associated with executive privilege were litigated and resolved in the courts well in advance of the Nixon and Clinton impeachments.

8. *See* December 17, 2019 Interview of Congressman Eric Swalwell by CNN's Wolf Blitzer (''Unless you send those [witnesses] to us, we can only conclude that you are guilty, because in America, innocent men do not hide and conceal evidence. In fact, . . . they do just the opposite, they are forthcoming and they want to cooperate, and the President is acting like a very guilty person.'')

9. *See Marbury v. Madison*, 5 U.S. 137, 138 (1803) (''An act of congress repugnant to the constitution cannot become a law.'')

10. Monroe H. Freeman, ''Our Constitutionalized Adversary System,'' 1 Chapman Law Rev. 57, 57 (1998). Justice Scalia noted that the adversarial system is founded on ''the presence of a judge who does not (as the inquisitor does) conduct the factual and legal investigation himself, but instead decides on the basis of facts and arguments pro and con adduced by the parties.'' *McNeil v. Wisconsin*, 501 U.S. 171, 181 n.2 (1991).

11. *Id.*

12. *Id.*

13. As even one of the witnesses who testified in the House has recognized, the Constitution designates the Chief Justice to serve as presiding officer of the Senate for presidential impeachments because the Framers understood the obvious conflict of interest and tension in allowing the Vice President to preside over the trial of the President. Michael Gerhardt, The Constitutional Limits to Impeachment and Its Alternatives, 68 Texas Law Review 1, 98 (1989).

Mr. CORNYN. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. LOEFFLER). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. HAWLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HAWLEY. Madam President, I come here today with the business of impeachment before this Chamber. It should hardly be necessary at this late juncture to outline again the train of abuses and distortions and outright lies that have brought us to today's impeachment vote: the secret meetings in the Capitol basement; the closed hearings without due process or basic fairness; the failure of the House to follow their own rules and authorize an impeachment inquiry and then the bipartisan vote against impeachment; and the attempt to manipulate or even prevent a trial here in the Senate—holding the Articles of Impeachment for 33 days—in brazen defiance of the Constitution's mandates.

The House Democrats have given us the first purely partisan impeachment in our history and the first attempt to remove an elected President that does not even allege unlawful conduct.

Animating it all has been the bitter resentment of a professional political class that cannot accept the verdict of the people in 2016, that cannot accept the people's priorities, and that now seeks to overturn the election and entrench themselves in power. That is how we arrived at this moment, that is how we got here, and that is what this is really about.

Now it is time to bring this fiasco to a close. It is time to end this cycle of retribution and payback and bitterness. It is time to end the abuse of our institutions. It is time to let the verdict of the people stand. So I will vote today to acquit the President of these charges.

You know, it has been clear for a long time that impeachment is not a priority of the people—it is not even close. It is a pipe dream of politicians. And as the Democrats have forced it on this country over these many months, it has sapped our energy and diverted our attention from the real issues that press upon our country, the issues the people of this Nation have tried to get this town to care about for years. I mean the crisis of surging suicides and drug addiction that is driving down life expectancy in my State and across this Nation. I mean the crisis at the border, where those drugs are pouring across. I mean the crisis of skyrocketing healthcare costs, which burden families, young and old, with bills they cannot pay. I mean the crisis of affordable housing, which robs parents of a safe place to raise their children and build a life. I mean the crisis of trafficking and exploitation, which robs our young girls and boys of a future and our society of their innocence. I mean the crisis of the family farm and the crisis of education costs for those who go to college and the lack of good-paying jobs for those who don't. I mean the crisis of connectivity in our heartland, where too many schoolchildren can't access the internet even to do their homework at night. I mean the crisis of unfair trade and lost jobs and broken homes. And I could go on.

My point is this: When I listen to the people of my State, I don't hear about impeachment. No, I hear about the problems of home and neighborhood, of family and community, about the loss of faith in our government and about the struggle to find hope for the future. This town owes it to these Americans—the ones who sent us here—finally to listen, finally to act, and finally to do something that really matters to them.

We must leave this impeachment circus behind us and ensure that our Constitution is never again abused in this way. It is time to turn the page. It is time to turn to a new politics of the people and to a politics of home. It is time to turn to the future—a future where this town finally accepts the people's judgment and the people's verdict and where this town finally delivers for the people who elected them; a future where the middle of our society gets a fair shake and a level playing field; a future where maybe—maybe—this town will finally listen.

When I think of all the energy and all the effort that has been expended on this impeachment crusade over almost 3 years now, I wonder what might have been.

Today is a sad day, but it does not have to remain that way. Imagine what we might achieve for the good of this Nation if we turn our energy and our effort to the work of the American people. Imagine what we could do to keep families in their homes and to bring new possibility to the Nation's heartland and to care for our children in every part of this society. Imagine what we could do to lift up the most vulnerable among us who have been exploited and trafficked and give them new hope and new life. Imagine what we could do for those who have been forgotten, from our rural towns to our inner cities. Imagine what we could do to give them control over their own destinies.

We can find the common good. We can push the boundaries of the possible. We can rebuild this Nation if we will listen to the American people. Let us begin.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Madam President, in this impeachment proceeding, I worked with other Senators to make sure that we had the right to ask for more documents and witnesses, but there was no need for more evidence to prove something that I believe had already been proven and that did not meet the U.S. Constitution's high bar for an impeachable offense.

There was no need for more evidence to prove that the President asked Ukraine to investigate Joe Biden and his son, Hunter. He said this on television on October 3, 2019, and he said it during his July 25, 2019, telephone call with the President of Ukraine.

There was no need for more evidence to conclude that the President withheld United States aid, at least in part, to pressure Ukraine to investigate the Bidens. The House managers have proved this with what they called a ''mountain of overwhelming evidence.'' One of the managers said it was ''proved beyond a shadow of a doubt.''

There was no need to consider further the frivolous second Article of Impeachment that would remove from the President and future Presidents—remove this President for asserting his constitutional prerogative to protect confidential conversations with his close advisers.

It was inappropriate for the President to ask a foreign leader to investigate his political opponent and to withhold U.S. aid to encourage this investigation. When elected officials inappropriately interfere with such investigations, it undermines the principle of equal justice under the law. But the Constitution does not give the Senate the power to remove the President from office and ban him from this year's ballot simply for actions that are inappropriate.

The question, then, is not whether the President did it but whether the Senate or the American people should decide what to do about what he did. I believe that the Constitution clearly provides that the people should make that decision in the Presidential election that began on Monday in Iowa.

The Senate has spent 11 long days considering this mountain of evidence, the arguments of the House managers and the President's lawyers, their answers to Senators' questions, and the House record. Even if the House charges were true, they don't meet the Constitution's ''Treason, Bribery, or other High Crimes and Misdemeanors'' standard for impeachable offense.

The Framers believed that there never ever should be a partisan impeachment. That is why the Constitution requires a two-thirds vote of the Senate to convict. Yet not one House Republican voted for these articles.

If this shallow, hurried, and wholly partisan impeachment were to succeed, it would rip the country apart, pouring gasoline on the fire of cultural divisions that already exist. It would create a weapon of perpetual impeachment to be used against future Presidents whenever the House of Representatives is of a different political party.

Our founding documents provide for duly elected Presidents who serve with ''the consent of the governed,'' not at the pleasure of the U.S. Congress. Let the people decide.

A year ago, at the Southeastern Conference basketball tournament, a friend of 40 years sitting in front of me turned to me and said: ''I am very unhappy with you for voting against the President.'' She was referring to my vote against the President's decision to spend money that Congress hadn't appropriated to build the border wall.

I believed then and now that the U.S. Constitution gives to the Congress the exclusive power to appropriate money. This separation of powers creates checks and balances in our government that preserve our individual liberty by not allowing, in that case, the Executive to have too much power.

I replied to my friend: ''Look, I was not voting for or against the President. I was voting for the United States Constitution.'' Well, she wasn't convinced.

This past Sunday, walking my dog Rufus in Nashville, I was confronted by a neighbor who said she was angry and crushed by my vote against allowing more witnesses in the impeachment trial. ''The Senate should remove the President for extortion,'' she said.

I replied to her: ''I was not voting for or against the President. I was voting for the United States Constitution, which, in my view, does not give the Senate the power to remove a President from his office and from this year's election ballot simply for actions that are inappropriate. The United States Constitution says a President may be convicted only for Treason, Bribery, and other High Crimes and Misdemeanors. President Trump's actions regarding Ukraine are a far cry from that. Plus,'' I said, ''unlike the Nixon impeachment, when almost all Republicans voted to initiate an impeachment inquiry, not one single Republican voted to initiate this impeachment inquiry against President Trump. The Trump impeachment,'' I said to her, ''was a completely partisan action, and the Framers of the United States Constitution, especially James Madison, believed we should never ever have a partisan impeachment. That would undermine the separation of powers by allowing the House of Representatives to immobilize the executive branch, as well as the Senate, by a perpetual partisan series of impeachments.'' Well, she was not convinced.

When our country was created, there never had been anything quite like it—a democratic republic with a written Constitution. Perhaps its greatest innovation was the separation of powers among the Presidency, the Supreme Court, and the Congress.

The late Justice Scalia said this of checks and balances: ''Every tin horn dictator in the world today, every president for life, has a Bill of Rights. . . . What has made us free is our Constitution.'' What he meant was, what makes the United States different and protects our individual liberty is the separation of powers and the checks and balances in our Constitution.

The goal of our Founders was not to have a King as a chief executive, on the one hand, or not to have a British-style parliament, on the other, which could remove our chief executive or prime minister with a majority or no-confidence vote. The principle reason our Constitution created a U.S. Senate is so that one body of Congress can pause and resist the excesses of the Executive or popular passions that could run through the House of Representatives like a freight train.

The language of the Constitution, of course, is subject to interpretation, but on some things, its words are clear. The President cannot spend money that Congress doesn't appropriate—that is clear—and the Senate can't remove a President for anything less than treason, bribery, high crimes and misdemeanors, and two-thirds of us, the Senators, must agree on that. That requires a bipartisan consensus.

We Senators take an oath to base our decisions on the provisions of our Constitution, which is what I have endeavored to do during this impeachment proceeding.

Madam President, I ask unanimous consent to include a few documents in the RECORD following my remarks. They include an editorial from February 3 from the Wall Street Journal; an editorial from the National Review, also dated February 3; an opinion editorial by Robert Doar, president of the American Enterprise Institute on February 1; an article from KnoxTNToday, yesterday; and a transcript from my appearance on ''Meet the Press'' on Sunday, February 2, 2020. These documents illuminate and further explain my statement today.

Thank you.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Feb. 3, 2020]

EDITORIAL BOARD: LAMAR ALEXANDER'S FINEST HOUR—HIS VOTE AGAINST WITNESSES WAS ROOTED IN CONSTITUTIONAL WISDOM

Senate Republicans are taking even more media abuse than usual after voting to bar witnesses from the impeachment trial of President Trump. ''Cringing abdication'' and ''a dishonorable Senate'' are two examples of the sputtering progressive rage. On the contrary, we think it was Lamar Alexander's finest hour.

The Tennessee Republican, who isn't running for re-election this year, was a decisive vote in the narrowly divided Senate on calling witnesses. He listened to the evidence and arguments from both sides, and then he offered his sensible judgment: Even if Mr. Trump did what House managers charge, it still isn't enough to remove a President from office.''It was inappropriate for the president to ask a foreign leader to investigate his political opponent and to withhold United States aid to encourage that investigation,'' Mr. Alexander said in a statement Thursday night. ''But the Constitution does not give the Senate the power to remove the president from office and ban him from this year's ballot simply for actions that are inappropriate.''

The House managers had proved their case to his satisfaction even without new witnesses, Mr. Alexander added, but ''they do not meet the Constitution's 'treason, bribery, or other high crimes and misdemeanors' standard for an impeachable offense.'' Nebraska Sen. Ben Sasse told reporters ''let me be clear: Lamar speaks for lots and lots of us.''

This isn't an abdication. It's a wise judgment based on what Mr. Trump did and the rushed, partisan nature of the House impeachment. Mr. Trump was wrong to ask Ukraine to investigate Joe and Hunter Biden, and wrong to use U.S. aid as leverage. His call with Ukraine's President was far from ''perfect.'' It was reckless and self-destructive, as Mr. Trump often is.

Nearly all of his advisers and several Senators opposed his actions, Senators like Wisconsin's Ron Johnson lobbied Mr. Trump hard against the aid delay, and in the end the aid was delivered within the fiscal year and Ukraine did not begin an investigation. Even the House managers did not allege specific crimes in their impeachment articles. For those who want the best overall account of what happened, we again recommend the Nov. 18 letter that Mr. Johnson wrote to House Republicans.

Mr. Alexander's statement made two other crucial points. The first concerns the damage that partisan removal of Mr. Trump would do to the country.

''The framers believed that there should never, ever be a partisan impeachment. That is why the Constitution requires a 2/3 vote of the Senate for conviction. Yet not one House Republican voted for these articles,'' Mr. Alexander noted. ''If this shallow, hurried and wholly partisan impeachment were to succeed, it would rip the country apart, pouring gasoline on the fire of cultural divisions that already exist. It would create the weapon of perpetual impeachment to be used against future presidents whenever the House of Representatives is of a different political party.''

Does anyone who isn't a Resistance partisan doubt this? Democrats and the press talk as if removing Mr. Trump is a matter of constitutional routine that would restore American politics to some pre-2016 normalcy. That's a dangerous illusion.

The ouster of Mr. Trump, the political outsider, on such slender grounds would be seen by half the country as an insider coup d'etat. Unlike Richard Nixon's resignation, it would never be accepted by Mr. Trump's voters, who would wave it as a bloody flag for years to come. Payback against the next Democratic President when the Republicans retake the House would be a certainty.

Mr. Alexander directed Americans to the better solution of our constitutional bedrock. ''The question then is not whether the president did it, but whether the United States Senate or the American people should decide what to do about what he did,'' his statement said. ''Our founding documents provide for duly elected presidents who serve with 'the consent of the governed,' not at the pleasure of the United States Congress. Let the people decide.''

Democrats and their allies in the media have spent three years trying to nullify the election their candidate lost in 2016. They have hawked false Russian conspiracy theories, ignored abuse by the FBI, floated fantasies about triggering the 25th Amendment, and tried to turn bad presidential judgment toward Ukraine into an impeachable offense. Yet Mr. Trump's job approval rating has increased during the impeachment hearings and trial.

Our friendly advice to Democrats and the impeachment press is to accept that you lost fair and square in 2016 and focus on nominating a better Democratic candidate this year. On the recent polling evidence, that task is urgent. In the meantime, thank you, Lamar Alexander.

[From the National Review, Feb. 3, 2020]

EDITORIAL BOARD: LAMAR ALEXANDER GETS IT RIGHT

The impeachment saga is drawing to a close.

The Senate is prepared to acquit without hearing from witnesses, after Lamar Alexander, a swing vote, came out against calling them late last week.

In his statement, Alexander expressed the correct view on the underlying matter—one we have been urging Republicans to publicly adopt since impeachment first got off the ground.

The Tennessee Republican said that it has been amply established that Donald Trump used a hold on defense aid to pressure the Ukrainians to undertake the investigations that he wanted, and that this was, as he mildly put it, inappropriate. But this misconduct, he argued, doesn't rise to the level of the high crimes and misdemeanors required to remove a president from office. If the Senate were to do so anyway, it would further envenom the nation's partisan divide. Besides, there is a national election looming where the public itself can decide whether Trump should stay in office or not.

Since we already know the core of what happened, Alexander explained, there was no need to hear from additional witnesses in the Senate trial. (On this theory of the case, the Senate is in effect acting like an appellate court, rendering a judgment on a threshold question of law, rather than a trial court sifting through the facts.)

In the wake of Alexander's statement, other Senate Republicans endorsed his line of analysis, which, it must be noted, is superior to the defense mounted by the White House legal team over the last two weeks.

Because the president refused to acknowledge what he did, his team implausibly denied there was a quid pro quo and argued that one hadn't been proven since there were no first-hand witnesses. Obviously, this position was at odds with the defense team's insistence that no further witnesses be called. It also raised the natural question why, if people with firsthand knowledge had exculpatory information, the White House wasn't eager to let them come forward.

Additionally, the White House maintained that a president can't be impeached unless he's guilty of a criminal violation. This is an erroneous interpretation of the Constitution, although it is true that past presidential impeachments have involved violations of the law and that such violations provide a bright line that's missing if the charge is only abuse of power. Alan Dershowitz argued this position most aggressively for the president's defense, and made it even worse by briefly seeming—before walking it back—to argue that anything a president does to advance his reelection is properly motivated.

As for the House managers, they were at their strongest making the case that the president had done what they alleged, and their weakest arguing that he should be removed for it.

They tried to inflate the gravity of Trump's offense by repeatedly calling it ''election interference.'' At the end of the day, though, what the Trump team sought was not an investigation of Joe or Hunter Biden, but a statement by the Ukrainians that they'd look into Burisma, the Ukrainian company on whose board Hunter Biden sat. The firm has a shady past and has been investigated before. Trump should have steered clear of anything involving his potential opponent, but it's not obvious that a new Burisma probe would have had any effect on 2020 (the vulnerability for Biden is Hunter's payments, which are already on the record) and, of course, the announcement of an investigation never happened.

They said that Trump's seeking this Ukrainian interference was in keeping with his welcoming of Russian meddling, implying that Trump had been found guilty of colluding with the Russians in 2016, rather than exonerated. (Part of the complaint here is that Trump made use of material that emerged via Russian hacking. Then again, so did Bernie Sanders in his fight with the DNC.)

They alleged that the brief delay in aid to Ukraine somehow endangered our national security, a risible claim given that the Ukrainians got the aid and that Trump has provided Ukraine lethal assistance that President Obama never did.

They accused the president of obstruction of justice for asserting privileges invoked by other presidents and not producing documents and witnesses on the House's accelerated timeline, a charge that White House lawyer Patrick Philbin effectively dismantled.

Finally, they insisted that a trial without witnesses wouldn't be fair, despite making no real effort to secure the new witnesses during their own rushed impeachment inquiry.

As for the Senate trial being a ''cover up,'' as Democrats now insist it is, there is nothing stopping the House—or the Senate, for that matter—from seeking testimony from John Bolton and others outside the confines of the trial. This would be entirely reasonable congressional oversight (despite the White House arguing otherwise) and there is still a public interest in knowing as much as possible about this matter, even if Trump isn't going to be removed.

If nothing else, the last two weeks have been a forum for extensive discussion about the respective powers of the two elected branches of government. We are sympathetic to the view that the executive branch has too much power. If Congress seeks to remedy this imbalance by impeaching and removing presidents, though, it will be sorely disappointed, since the two-thirds requirement for a Senate conviction is an almost insuperable obstacle to removal (as both House Republicans and House Democrats have experienced the last 20 years).

It would be better if Congress undertook a more systematic effort to take back prerogatives it has ceded to the executive branch and the courts. But we aren't optimistic on this score, since the same Democrats who claim to be sticklers about congressional power on the Ukraine matter won't say a discouraging word about Elizabeth Warren's and Bernie Sanders's promised adventures in unilateral rule as president.

At the end of the day, Nancy Pelosi impeached knowing that the Senate wouldn't convict, and so here we are—with nine months to go until voters get to make their judgment: not just about Ukraine, but about the last four years and Trump's eventual opponent.

[From the AEI, Feb. 1, 2020]

ALEXANDER GOT IT RIGHT: IT TAKES MORE TO REMOVE A PRESIDENT

(By Robert Doar)

''It was inappropriate for the president to ask a foreign leader to investigate his political opponent and to withhold United States aid to encourage that investigation. When elected officials inappropriately interfere with such investigations, it undermines the principle of equal justice under the law. But the Constitution does not give the Senate the power to remove the president from office and ban him from this year's ballot simply for actions that are inappropriate.''

Republican Sen. Lamar Alexander's words reminded me of the struggle my father, John Doar, had as he considered whether the conduct of President Richard Nixon was so serious that it should lead the House to impeach him and the Senate to remove him from office. Dad was in charge of the House Judiciary Committee staff, which took seven months (between December 1973 and July 1974) to examine the evidence and consider the question. What he concluded, and what the House Judiciary Committee by bipartisan majorities also found, was that Nixon deserved impeachment and removal for a pattern of conduct over a multi-year period that both obstructed justice and abused power.

So the first article, concerning obstruction of justice, found that Nixon and his subordinates had tampered with witnesses and interfered with the Department of Justice's investigations. They had paid hush money and attempted to misuse the CIA. And they had lied repeatedly to investigators and the American people.

On abuse of power, Nixon was found to have misused his authority over the IRS, the FBI, the CIA, and the Secret Service to defeat political opponents and protect himself, and in the process he had violated the constitutional rights of citizens. After he came

under suspicion, he tried to manipulate these agencies to interfere with the investigation.

President Trump's conduct toward Ukraine, though inappropriate, differs significantly from Nixon's in one crucial respect. Where Nixon's impeachable abuse of power occurred over a period of several years, the conduct challenged by the House's impeachment of Trump was not nearly as prolonged. From July to September of last year, Trump attempted to cajole a foreign government to open an investigation into his political opponent. That conduct was wrong. But it's not the same as what Nixon did over multiple years.

This contrast brings to light a critical difference between the House's behavior in 1974 and its efforts today. When Nixon's actions came to light, the House conducted an impeachment the right way: The House Judiciary Committee took seven months to examine all of the evidence, built up a theory of the case which matched the Constitution's requirements, and produced charges that implicated the president and his subordinates in a pattern of impeachable conduct. Faced with certain impeachment and removal from office, Nixon resigned. What Trump attempted to do, as Alexander rightly sees, is not that.

Alexander is right about one other thing—we should let the people decide who our next president should be.

[From the Knox TN Today, Feb. 4, 2020]

LAMAR WAS RIGHT

(By Frank Cagle)

Since I'm older than dirt, there have been occasions over the years when first-term state legislators would ask me if I had any advice for them.

Yes.

When a major and controversial issue looms study it, decide where you are and let everyone know where you are. In other words, pick a side early, have a reputation for keeping your word, and do not be known as a member who will go where the wind blows.

Make sure you do not get into the group known as the undecideds. You will get hammered by both sides, wooed by both sides and hounded by the media. And finally, do not under any circumstances be the deciding vote. Yours will be the only vote anyone remembers.

You would think someone who has been around as long as Lamar Alexander could avoid this trap. But not so. In the impeachment trial of President Trump, he got the label undecided, he was then hounded by the media and hammered by both sides over whether he would march in lockstep with Majority Leader Mitch McConnell or whether he would vote to call more witnesses as the Democrats wanted.

And horror of horrors, he was the deciding vote and the only one that will be remembered. When he announced how he would vote the ''more witnesses'' movement collapsed.

Alexander now finds himself being excoriated by both sides. The Trump supporters will never forget his failure to fall in line and salute. The anti-Trumpers are expressing their disappointment.

I've never been a Lamar fan. But I would like to make the case that he did exactly the right thing and he expressed the position of the majority of his Republican colleagues. He, and anyone who has been paying attention, says Trump did what he was accused of and what he did was wrong—inappropriate. But it did not rise to the level of removing him from office. There was no point in listening to additional witnesses and dragging things out. Everyone knew he was guilty. But if Trump is to be removed from office, let the voters do it.

If you believe that Trump didn't hold up aid to Ukraine or that he didn't ask them to investigate Joe Biden you have surrendered your critical faculties or you haven't been paying attention.

Joe and Hunter Biden should be investigated. By the FBI. I understand Trump's frustration that the mainstream media could not be counted on to investigate what should be disqualifying information about Biden's presidential run. (In the media's defense, Trump's kids are also trading off their father's position.) Trump's problem is that instead of turning to the FBI he turned the problem over to Rudy Giuliani and a couple of his questionable associates, otherwise known as the ''Gang Who Couldn't Shoot Straight.''

I doubt you could find 10 Republican senators who, in their heart of hearts, didn't agree with Lamar's position. Many have echoed his argument. But it will be Lamar who will take the heat.

[From Meet the Press, Feb. 2, 2020]

INTERVIEW WITH SENATOR LAMAR ALEXANDER, U.S. SENATOR FOR TENNESSEE

Chuck Todd: Republican Senator Lamar Alexander of Tennessee. Senator Alexander, welcome back.

Senator Lamar Alexander: Thank you, Chuck.

Todd: So one of the reasons you gave in your release about not voting for more witnesses is that—and to decide that, okay, this trial is over, let's let the people decide—was that the election was too close. So let me ask you though, on the witness vote itself, would it be helpful for the people to decide if they had more information?

Alexander: Well, I mean, if you have eight witnesses who say someone left the scene of an accident, why do you need nine? I mean, the question for me was, do I need more evidence to conclude that the president did what he did? And I concluded no. So I voted.

Todd: What do you believe he did?

Alexander: What I believe he did. One, was that he called the president of Ukraine and asked him to become involved in investigating Joe Biden, who was—

Todd: You believe his wrongdoing began there, not before?

Alexander: I don't know about that, but he admitted that. The president admitted that. He released the transcript. He said it on television. The second thing was, at least in part, he delayed the military and other assistance to Ukraine in order to encourage that investigation. Those are the two things he did. I think he shouldn't have done it. I think it was wrong. Inappropriate was the way I'd say it, improper, crossing the line. And then the only question left is, who decides what to do about that?

Todd: Well, who decides what to do with that?

Alexander: The people. The people is my conclusion. You know, it struck me really for the first time early last week, that we're not just being asked to remove the president from office. We're saying, tell him you can't run in the 2020 election, which begins Monday in Iowa.

Todd: If this weren't an election year, would you have looked at this differently?

Alexander: I would have looked at it differently and probably come to the same conclusion because I think what he did is a long way from treason, bribery, high crimes and misdemeanors. I don't think it's the kind of inappropriate action that the framers would expect the Senate to substitute its judgment for the people in picking a president.

Todd: Does it wear on you though that one of the foundational ways that the framers wrote the constitution was almost fear of foreign interference.

Alexander: That's true.

Todd: So, and here it is.

Alexander: Well, if you hooked up with Ukraine to wage war on the United States, as the first Senator from Tennessee did, you could be expelled, but this wasn't that. What the president should have done was, if he was upset about Joe Biden and his son and what they were doing in Ukraine, he should've called the Attorney General and told him that and let the Attorney General handle it the way they always handle cases that involve public things.

Todd: Why you think he didn't do that?

Alexander: Maybe he didn't know to do it.

Todd: Okay. This has been a rationale that I've heard from a lot of Republicans. Well boy, he's still new to this.

Alexander: Well, a lot of people come to Washington—

Todd: At what point though, is he no longer new to this?

Alexander: The bottom line is not an excuse. He shouldn't have done it. And I said he shouldn't have done it and now I think it's up to the American people to say, okay, good economy, lower taxes, conservative judges, behavior that I might not like, call to Ukraine. And weigh that against Elizabeth Warren and Bernie Sanders and pick a president.

Todd: Are you at all concerned though when you seek foreign interference? He does not believe he's done anything wrong. That what has happened here might encourage him that he can continue to do this?

Alexander: I don't think so. I hope not. I mean, enduring an impeachment is something that nobody should like. Even the president said he didn't want that on his resume. I don't blame him. So, if a call like that gets you an impeachment, I would think he would think twice before he did it again.

Todd: What example in the life of Donald Trump has he been chastened?

Alexander: I haven't studied his life that close, but, like most people who survive to make it to the Presidency, he's sure of himself. But hopefully he'll look at this and say, okay, that was a mistake I shouldn't have done that, shouldn't have done it that way. And he'll focus on the strengths of his Administration, which are considerable.

Todd: Abuse of power, define it.

Alexander: Well, that's the problem with abuse of power. As Professor Dershowitz said during his argument, he had a list of 40 presidents who'd been accused of abuse of power from Washington to Obama. So it's too vague a standard to use to impeach a president. And the founders didn't use it. I mean, they said, I mean, think of what a high bar they set. They said treason, bribery, high crimes or misdemeanors. And then they said

Todd: What do you think they meant by misdemeanors? Violation of a public trust.

Alexander: At the time they used it, misdemeanor meant a different thing in Great Britain. But I think Dershowitz was right. It was something akin to treason, bribery and other high crimes and misdemeanors, very high. And then in addition to that, two thirds of us in the Senate have to agree to that, which is very hard to do, which is why we've never removed a president this way in 230 years.

Todd: One of your other reasonings was the partisan nature of the impeachment vote itself in the House. Except now we are answering a partisan impeachment vote in the House with a partisan, I guess, I don't know what we would call this right now.

Alexander: Well you all it acquittal. That's what happens.

Todd: An acquittal, but essentially also, on how the trial was run—a partisan way from

the trial. So, if we make bipartisanship a standard, if somebody has a stranglehold on a base of a political party, then what you're saying is, you can overcome any impeachable offense as long as you have this stranglehold on a group of people.

Alexander: Well, as far as what the Senate did, I thought we gave a good hearing to the case. I mean, I help make sure that we didn't dismiss it. We heard it. There were some who wanted to dismiss it. I helped make sure that we had a right to ask for more evidence if we needed it, which we thought we didn't. We heard, we saw videotapes of 192 times that witnesses testified. We sat there for 11 and 12 hour days for nine days. So, I think we heard the case pretty well, but the partisan points, the most important point to me, James Madison, others thought there never, ever should be a wholly partisan impeachment. And if you look at Nixon, when the vote that authorized that inquiry was 410 to four and you look at Trump, where not a single Republican voted for it. If you start out with a partisan impeachment, you're almost destined to have a partisan acquittal.

Todd: Alright, but what do you do if you have somebody who has the ability to essentially be a populist? You know, be somebody who is able to say it's fake news. It's deep state. Don't trust this. Don't trust that. The establishment is doing this. And so don't worry about truth anymore. Don't worry about what you hear over there. I mean, some may say I'm painting an accurate picture. Some may be saying I'm painting a radical picture. But how do you prevent that?

Alexander: Well, the way you prevent that in our system, according to the Declaration of Independence, is we have duly elected presidents with the consent of the governed. So we vote them out of office. The other thing we do is, as in the Nixon case, Nixon had just been elected big in 1972 big time, only lost only one state, I think. But then a consensus developed, a bipartisan consensus, that what he was doing was wrong. And then when they found the crimes, he only had 10 or 12 votes that would have kept him in the Senate. So he quit. So those are the two options you have.

Todd: Have we essentially eliminated impeachment as a tool for a first-term president?

Alexander: No, I don't think so. I think impeachment as a tool should be rarely used and it's never been used in 230 years to remove a president. There been 63 impeachments, eight convictions. They're all federal judges on a lower standard.

Todd: Does it bother you that the president's lead lawyer, Pat Cipollone, is now fingered as being in the room with John Bolton the first time the president asked John Bolton to call the new President of Ukraine and have him take a meeting with Rudy Giuliani? And I say that because Pat Cipollone is up there arguing that there's no direct evidence and yet, he may have been a firsthand witness.

Alexander: Well, it doesn't have anything to do with my decision because my decision was, did the president do it, what he's charged with? He wasn't charged with a crime. He was charged with two things. And my conclusion was, he did do that and I don't need any more evidence to prove it. That doesn't have anything to do with where Cipollone was.

Todd: No, I say that does it only reinforce what some believe is that the White House was disingenuous about this the whole time. They've been disingenuous about how they've handled subpoenas from the House or requests from the House.

Alexander: I don't agree with that Chuck, either. The fact of the matter is in the Nixon case, the House voted 410 to four to authorize an inquiry. That means that it authorized subpoenas by the judiciary committee for impeachment. This House never did that. And so, all the subpoenas that they asked for were not properly authorized. That's the reason that the president didn't respond to them.

Todd: Bill Clinton offered regret for his behavior. This president has not. Does that bother you?

Alexander: Well, there hasn't been a vote yet either, so we'll see what he says and does. I think that's up to him.

Todd: You're comfortable acquitting him before he says something of regret. Would that not, would that not help make your acquittal vote?

Alexander: Well, I wasn't asked to decide who says his level of regret. I was asked, did he make a phone call and did he, at least in part, hold up aid in order to influence an investigation of Joe Biden? I concluded yes. So I don't need to assess his level of regret. What I hope he would do is when he makes his State of the Union address, that he puts this completely behind him, never mentions it and talks about what he thinks he's done for the country and where we're headed. He's got a pretty good story to tell. If he'll focus on it.

Todd: You're one of the few people that detailed what you believe he did wrong. One of the few Republicans that have accepted the facts as they were presented. Mitt Romney was just uninvited from CPAC. Mike Pompeo can't speak freely in talking about Maria Bonovich, the ousted ambassador. Is there room for dissent in the Republican party right now?

Alexander: Well, I believe there is. I mean, I dissent when I need to. Whether it's on—

Todd: —not easy though right now, is it?

Alexander: Well, I voted in a way that not everybody appreciated on immigration. Just before I was reelected, I voted against the president's decision to use what I thought was unauthorized money to build a wall, even though I think we need the wall. I said, I thought he did it this past week and we'll vote to acquit him. So I'm very comfortable saying what I believe. And I think others can as well.

Todd: You know, in that phone call, there's one thing on the phone call that I'm surprised frankly, hasn't been brought up more by others. It's the mere mention of the word, CrowdStrike is a Russian intelligence sort of piece of propaganda that they've been circulating. Does it bother you that the President of United States is reiterating Russian propaganda?

Alexander: Yes. I think that's a mistake. I mean if you, see what's happening in the Baltic States where Russians have a big warehouse in St. Petersburg in Russia where they're devoted to destabilizing Western democracies. I mean, for example, in one of the Baltic States, they accused a NATO officer of raping a local girl—of course it didn't happen, but it threw the government in a complete disarray for a week. So I think we need to be sensitive to the fact that the Russians are out to do no good to destabilize Western democracies, including us. And be very wary of theories that Russians come up with and peddle.

Todd: Well, I was just going to say this, is it not alarming? The President of United States in this phone call and you clearly are judging him on the phone, more so than,

Alexander: Well the phone call and the evidence. There was plenty of evidence. I mean the House managers came to us and said, we have overwhelming evidence. We have a mountain of evidence and we approve it beyond a shadow of a doubt. Which made me think, well then why do you need more evidence?

Todd: Do you think it's more helpful for the public to hear from John Bolton?

Alexander: They'll read his book in two weeks.

Todd: You don't want to see him testify.

Alexander: Well, if the question is do I need more evidence to think the president did it, the answer is no. I guess I'm coming back to this issue—if you looked at it as an isolated incident, here he is using Russian propaganda in order to try to talk to this new president of Ukraine. That's alarming. Where is he getting this CrowdStrike propaganda. My view is that that is Russian propaganda. Maybe he has information that I didn't have.

Todd: Okay. Are you definitely voting to acquit or do you think you may vote present?

Alexander: No question. I'm going to vote to acquit. I'm very concerned about any action that we could take that would establish a perpetual impeachment in the House of Representatives whenever the House was a different party than the president. That would immobilize the Senate. You know, we have to take those articles, stop what we're doing, sit in our chairs for 11 hours a day for three or four weeks and consider it. And it would immobilize the presidency. So I don't want a situation—and the framers didn't either—where a partisan majority in the house of either party can stop the government.

Todd: You used the phrase ''pour gasoline on a fire.''

Alexander: Yeah.

Todd: It certainly struck home with me reading you saying something that I've been thinking long and hard about. How concerned are you about the democracy as it stands right now?

Alexander: Well, I'm concerned and I want to give credit to Marco Rubio because that's really his phrase. I borrowed it from him—pouring gasoline on the cultural fires.

Todd: He went a step further. He said this was an impeachable offense, but he was uncomfortable in an election year.

Alexander: But, I'm concerned about the divisions in the country. They're reflected in the Senate. They make it harder to get a result. I mean, I work pretty hard to get results on healthcare, making it easier to go to college. And we've had some real success with it. But the Senate is for the purpose of solving big problems that the country will accept. And that goes back to what happened this past week. The country would not have accepted the Senate saying to it, you can't vote for or against President Trump in the Iowa caucus, New Hampshire primary, or the election this year.

Todd: Are you glad you're leaving?

Alexander: No, I've really loved being in the Senate, but it's time for me to go on, turn the page, think of something else to do. It'll be my third permanent retirement.

Todd: You've retired a few times, is this one going to stick?

Alexander: Well, we'll see.

Todd: Senator Lamar Alexander, Republican from Tennessee, our always thoughtful guest. Thanks for coming on.

Alexander: Thank you, Chuck.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. SASSE. Madam President, I ask unanimous consent to introduce into the Senate RECORD and into the impeachment trial record an op-ed that I wrote in the Omaha World-Herald this morning.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Omaha World Herald, Feb. 4, 2020]

MIDLANDS VOICES: OPEN LETTER FROM BEN SASSE PRESENTS HIS TAKE ON IMPEACHMENT

(By Ben Sasse)

Impeachment is serious. It's the ''Break Glass in Case of Emergency'' provision of the Constitution.

I plan to vote against removing the president, and I write to explain this decision to the Nebraskans on both sides who have advocated so passionately.

An impeachment trial requires senators to carry out two responsibilities: We're jurors sworn to ''do impartial justice.'' We're also elected officeholders responsible for promoting the civic welfare of the country. We must consider both the facts before us, and the long-term effects of the verdict rendered. I believe removal is the wrong decision.

Let's start with the facts of the case. It's clear that the president had mixed motives in his decision to temporarily withhold military aid from Ukraine. The line between personal and public was not firmly safeguarded. But it is important to understand, whether one agrees with him or not, three things President Trump believes:

He believes foreign aid is almost always a bad deal for America. I don't believe this, but he has maintained this position consistently since the 1980s.

He believes the American people need to know the 2016 election was legitimate, and he believes it's dangerous if they worry Russia picked America's president. About this, he's right.

He believes the Crowdstrike theory of 2016, that Ukraine conducted significant meddling in our election. I don't believe this theory, but the president has heard it repeatedly from people he trusts, chiefly Rudy Giuliani, and he believes it.

These beliefs have consequences. When the president spoke to Ukraine's president Zelensky in July 2019, he seems to have believed he was doing something that was simultaneously good for America, and good for himself politically—namely, reinforcing the legitimacy of his 2016 victory. It is worth remembering that that phone call occurred just days after Robert Mueller's two-year investigation into the 2016 election concluded that ''the investigation did not establish that members of the Trump Campaign conspired or coordinated with the Russian government in its election interference activities.''

This is not a blanket excuse, of course. Some of the president's lawyers have admitted that the way the administration conducted policymaking toward Ukraine was wrong. I agree. The call with Zelensky was certainly not ''perfect,'' and the president's defense was made weaker by staking out that unrepentant position.

Moreover, Giuliani's off-the-books foreign policy-making is unacceptable, and his role in walking the president into this airplane propeller is underappreciated: His Crowdstrike theory was a bonkers attempt not only to validate Trump's 2016 election, and to flip the media's narrative of Russian interference, but also to embarrass a possible opponent. One certainty from this episode is that America's Mayor shouldn't be any president's lawyer. It's time for the president and adults on his team to usher Rudy off the stage—and to ensure that we do not normalize rogue foreign policy conducted by political operatives with murky financial interests.

There is no need to hear from any 18th impeachment witness, beyond the 17 whose testimony the Senate reviewed, to confirm facts we already know. Even if one concedes that John Bolton's entire testimony would support Adam Schiff's argument, this doesn't add to the reality already established: The aid delay was wrong.

But in the end, the president wasn't seduced by the most malign voices; his honest advisers made sure Ukraine got the aid the law required. And importantly, this happened three weeks before the legal deadline. To repeat: The president's official staff repeatedly prevailed upon him, Ukraine ultimately got the money, and no political investigation was initiated or announced.

You don't remove a president for initially listening to bad advisors but eventually taking counsel from better advisors—which is precisely what happened here.

There is another prudential question, though, beyond the facts of the case: What is the right thing for the long-term civic health of our country? Will America be more stable in 2030 if the Senate—nine months from Election Day 2020—removes the president?

In our Constitution's 232 years, no president has ever been removed from office by the Senate. Today's debate comes at a time when our institutions of self-government are suffering a profound crisis of legitimacy, on both sides of the aisle. This is not a new crisis since 2016; its sources run much deeper and longer.

We need to shore up trust. A reckless removal would do the opposite, setting the nation on fire. Half of the citizenry—tens of millions who intended to elect a disruptive outsider—would conclude that D.C. insiders overruled their vote, overturned an election and struck their preferred candidate from the ballot.

This one-party removal attempt leaves America more bitterly divided. It makes it more likely that impeachment, intended as a tool of last resort for the most serious presidential crimes, becomes just another bludgeon in the bag of tricks for the party out of power. And more Americans will conclude that constitutional self-government today is nothing more than partisan bloodsport.

We must do better. Our kids deserve better. Most of the restoration and healing will happen far from Washington, of course. But this week, senators have an important role: Get out of the way, and allow the American people to render their verdict on election day.

Mr. SASSE. Thank you.

The PRESIDING OFFICER (Mr. SASSE). The Senator from California.

Ms. HARRIS. Mr. President, when the Framers wrote the Constitution, they didn't think someone like me would serve as a U.S. Senator, but they did envision someone like Donald Trump being President of the United States, someone who thinks he is above the law and that rules don't apply to him. So they made sure our democracy had the tool of impeachment to stop that kind of abuse of power.

The House managers have clearly laid out a compelling case and evidence of Donald Trump's misconduct. They have shown that the President of the United States of America withheld military aid and a coveted White House meeting for his political gain. He wanted a foreign country to announce—not actually conduct, announce—an investigation into his political rivals. Then he refused to comply with congressional investigations into his misconduct. Unfortunately, a majority of U.S. Senators, even those who concede that what Donald Trump did was wrong, are nonetheless going to refuse to hold him accountable.

The Senate trial of Donald Trump has been a miscarriage of justice. Donald Trump is going to get away with abusing his position of power for personal gain, abusing his position of power to stop Congress from looking into his misconduct and falsely claim he has been exonerated. He is going to escape accountability because a majority of Senators have decided to let him. They voted repeatedly to block key evidence like witnesses and documents that could have shed light on the full truth.

We must recognize that still in America there are two systems of justice—one for the powerful and another for everyone else. So let's speak the truth about what our two systems of justice actually mean in the real world. It means that in our country too many people walk into courthouses and face systemic bias. Too often they lack adequate legal representation, whether they are overworked, underpaid, or both. It means that a young man named Emmett Till was falsely accused and then murdered, but his murderer didn't have to spend a day in jail. It means that four young Black men have their lives taken and turned upside-down after being falsely accused of a crime in Groveland, FL. It means that, right now, too many people in America are sitting in jail without having yet been convicted of a crime but simply because they cannot afford bail. And it means that future Presidents of the United States will remember that the U.S. Senate failed to hold Donald Trump accountable, and they will be emboldened to abuse their power knowing there will be no consequence.

Donald Trump knows all this better than anybody. He may not acknowledge that we have two systems of justice, but he knows the institutions in this country, be it the courts or the Senate, are set up to protect powerful people like him. He told us as much when, regarding the sexual assault of women, he said, ''When you're a star, they let you do it. You can do anything.'' He said that article II of the U.S. Constitution gives him, as President, the right to do whatever he wants.

Trump has shown us through his words and actions that he thinks he is above the law. And when the American people see the President acting as though he is above the law, it understandably leaves them feeling distrustful of our system of justice, distrustful of our democracy. When the U.S. Senate refuses to hold him accountable, it reinforces that loss of trust in our system.

Now, I am under no illusion that this body is poised to hold this President accountable, but despite the conduct of the U.S. Senate in this impeachment trial, the American people must continue to strive toward the more perfect Union that our Constitution promises. It is going to take all of us—in every State, every town, everywhere—to continue fighting for the best of who we

are as a country. We each have an important role to play in fighting for those words inscribed on the U.S. Supreme Court building: ''Equal Justice Under Law.''

Frederick Douglass, who I, like many, consider to be one of the Founders of our Nation, wrote that ''the whole history of the progress of human liberty shows that all concessions yet made to her august claims have been born of earnest struggle.''

The impeachment of Donald Trump has been one of those earnest struggles for liberty, and this fight, like so many before it, has been a fight against tyranny. This struggle has not been an easy one, and it has left too many people across our Nation feeling cynical. For too many people, this trial confirmed something they have always known, that the real power in this country lies not with them but with just a few people who advance their own interests at the expense of others' needs. For many, the injustice in this trial is yet another example of the way that our system of justice has worked or, more accurately, failed to work.

But here is the thing. Frederick Douglass also told us that ''if there is no struggle, there is no progress.'' He went on to say: ''Power concedes nothing without a demand.'' And he said: ''It never did, and it never will.''

In order to wrestle power away from the few people at the very top who abuse their power, the American people are going to have to fight for the voice of the people and the power of the people. We must go into the darkness to shine a light, and we cannot be deterred and we cannot be overwhelmed and we cannot ever give up on our country.

We cannot ever give up on the ideals that are the foundation for our system of democracy. We can never give up on the meaning of true justice. And it is part of our history, our past, clearly, our present, and our future that, in order to make these values real, in order to make the promise of our country real, we can never take it for granted.

There will be moments in time, in history, where we experience incredible disappointment, but the greatest disappointment of all will be if we give up. We cannot ever give up fighting for who we know we are, and we must always see who we can be, unburdened by who we have been. That is the strength of our Nation.

So, after the Senate votes today, Donald Trump will want the American people to feel cynical. He will want us not to care. He will want us to think that he is all powerful and we have no power, but we are not going to let him get away with that.

We are not going to give him what he wants because the true power and potential of the United States of America resides not with the President but with the people—all the people.

So, in our long struggle for justice, I will do my part by voting to convict this lawless President and remove him from office, and I urge my colleagues to join me on the right side of history.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, considering whether to convict a President of the United States on Articles of Impeachment is a solemn and consequential duty, and I do not take it lightly. Even before we had a country, our Founders put forward the notion of ''country first,'' pledging in the Declaration of Independence their lives, fortunes, and sacred honor—a pledge they made to an idea, imagining and hoping for a country where no one was above the law, where no one had absolute power.

My dad, a World War II veteran, and my mom raised me to understand that this is what made our country the unique and indispensable democracy that it is.

My obligation throughout this process has been to listen carefully to the case that the House managers put forward and the defenses asserted by the President's lawyers, and then to carefully consider the constitutional basis for impeachment, the intent of our Founders, and the facts.

That is what I have done over the past few days. The Senate heard extensive presentations from both sides and answers to the almost 200 questions that Senators posed to the House managers and the President's advocates.

The facts clearly showed that President Trump abused the public's sacred trust by using taxpayer dollars to extort a foreign government into providing misinformation about a feared political opponent.

Let me repeat that. The President of the United States used taxpayer money that had been authorized, obligated, and cleared for delivery as critical military aid to Ukraine to try to force that country to interfere in our elections. He violated the law and the public trust. And he put our national security, and the lives of the Ukrainian soldiers on the frontlines of Russian aggression at risk.

Although the country was alerted to the possibility that the President had crossed a critical line because of revelations about his now-infamous July 25 phone call, it is not the phone call alone that led to the President's impeachment. Instead, the phone call was a pivotal point in a scheme that had started earlier, spearheaded by President Trump's personal lawyer Rudy Giuliani.

Mr. Giuliani has acknowledged that he was doing the President's personal and political bidding when he engaged with the Ukrainian government.

As the newly elected anti-corruption Ukrainian Government came into power, in need of recognition and support from the United States, President Trump forced officials from Ukraine and the United States to negotiate through Mr. Giuliani, conflating his personal and political interests with the national security and diplomatic interests of our country.

And then, as President Zelensky resisted the request that he concoct and announce a fake investigation into the Bidens, the President and Mr. Giuliani increased the pressure. Suddenly, and without explanation or a legally required notification to Congress, the President ordered that previously approved and critically needed military aid to Ukraine be held up.

Mr. Trump, at first through Mr. Giuliani, and then directly, solicited interference with an American election from a foreign government. And he ordered others in his administration to work with Mr. Giuliani to ensure this scheme's success.

While there is still more evidence that the Senate should have subpoenaed both witnesses and documents that would have given us a more complete understanding of what happened, we know as much as we do because of the courage and strength of American patriots who put country before self—patriots like the intelligence community whistleblower, who was followed by Army Lieutenant Colonel Vindman, and former U.S. Ambassadors to Ukraine Marie Yovanovitch and William Taylor, as well as current members of the administration.

These Americans who came forward were doing exactly what we always ask of citizens: If you see something wrong, you need to speak up; ''See something, say something.'' It is a fundamental part of citizenship to alert each other to danger, to act for the greater good, to care about each other and our country without regard to political party.

When Americans step forward, sometimes at real risk to themselves, they rightly expect that their government will take the information they provide and act to make them safer, to protect their fundamental rights. That is the understanding between the American people and their representative government.

While the brave women and men who appeared before the House did their jobs, the Senate, under this majority, has unfortunately not. Rather than gathering full, relevant testimony under oath and with the benefit of cross-examination, the Senate majority has apparently decided that despite what it has heard, it is not interested in learning more; not interested in learning more about how a President, his personal agent, and members of his administration corrupted our foreign policy and put our Nation's security at risk; not interested in learning more about how they planned to use the power of his office to tilt the scales of the next election to ensure that he stays in power; not interested in learning more about how they worked to cover it up.

Increasingly, over the last few days, the President's defense team and more and more of my colleagues in the Senate have acknowledged the facts of the

President's scheme. Their argument has shifted from ''He didn't do it'' to ''He had a right to,'' to ''He won't do it again,'' or even ''It doesn't really matter.''

I disagree so strongly.

The idea that in our country, established by the very rejection of a monarchy, the President has absolute power is absurd, as is the idea that this President, whose conduct is ultimately the cause of this entire process, will suddenly stop. President Trump continues to invite foreign powers to interfere with our elections, maintaining to this day that ''it was a perfect call.''

Our Founders knew that all people, all leaders, are fallible human beings. And they knew that our system of checks and balances could survive some level of human frailty, even in as important an office as the Presidency.

The one thing that they feared it could not survive was a President who would put self-interest before the interests of the American people or who didn't understand the difference between the two. As citizen-in-chief, and one wielding enormous power, Presidents must put country first.

Our Founders knew that we needed a mechanism to hold Presidents accountable for behavior that violated that basic understanding and that would threaten our democracy. And they provided a mechanism for removal outside of the election process because of the immense damage a President could do in the time between elections—damage, in the case of this President's continuing behavior, to our national security and election integrity.

Our Founders believed that they were establishing a country that would be unique in the history of humankind, a country that would be indispensable, built on the rule of law, not the whims of a ruler. Generation after generation of Americans have fought for that vision because of what it has meant to our individual and collective success and to the progress of humankind worldwide.

That is the America that I have sworn an oath to protect. I will vote in favor of both Articles of Impeachment because the President's conduct requires it, Congress's responsibility as a coequal branch of government requires it, and the very foundation and security of our American idea requires it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. JONES. Mr. President, on the day I was sworn in as a United States Senator, I took an oath to protect and defend the Constitution. Just last month, at the beginning of the impeachment trial, I took a second oath to do fair and impartial justice, according to the same Constitution I swore to protect.

As I took the oath and throughout the impeachment trial, I couldn't help but think of my father. As many of you know, I lost my dad over the holiday recess. While so many were arguing over whether or not the Speaker of the House should send Articles of Impeachment to the Senate, I was struggling with watching him slip away, while only occasionally trying to weigh in with my voice to be heard about the need for witnesses in the upcoming impeachment trial. My dad was a great man, a loving husband, father, grandfather, and great-grandfather who did his best to instill in me the values of right and wrong as I grew up in Fairfield, AL. He was also a fierce patriot who loved this country. Although, fortunately, he was never called on to do so, I firmly believe he would have placed his country even above his family because he knew and understood fully what America and the freedoms and liberties that come with her mean to everyone in this great country and, significantly, to people around the world.

I know he would have put his country before any allegiance to any political party or even to any President. He was on the younger side of that ''greatest generation'' who joined the Navy at age 17 to serve our great military. That service and love of country shaped him into the man of principle that he was, instilling in me those same principles. In thinking of him, his patriotism, his principles, and how he raised me, I am reminded of Robert Kennedy's words that were mentioned in this trial:

> Few men are willing to brave the disapproval of their fellows, the censure of their colleagues, the wrath of their society. Moral courage is a rarer commodity than bravery in battle or great intelligence. Yet it is the one essential, vital quality for those who seek to change a world that yields most painfully to change.

Candidly, to my colleagues on both sides of the aisle, I fear that moral courage, country before party is a rare commodity these days. We can write about it and talk about it in speeches and in the media, but it is harder to put into action when political careers may be on the line. Nowhere is the dilemma more difficult than in an impeachment of the President of the United States. Very early on in this process, I implored my colleagues on both sides of the aisle, in both Houses of Congress, to stay out of their political and partisan corners. Many did, but so many did not. Even the media continually view this entire process through partisan, political eyes and how it may or may not affect an election. That is unfortunate. The country deserves better, and we must find a way to move beyond such partisan divides.

The solemn oaths that I have taken have been my guides during what has been a difficult time for the country, my State, and for me personally. I did not run for the Senate hoping to participate in the impeachment trial of a duly elected President, but I cannot and will not shrink from my duty to defend the Constitution and to do impartial justice.

In keeping with my oath as Senator and my oath to do impartial justice, I resolved that throughout this process, I would keep an open mind, to consider the evidence without regard to political affiliation, and to hear all of the evidence before making a final decision on either charge against the President. I believe that my votes later today will reflect that commitment.

With the eyes of history upon us, I am acutely aware of the precedents that this impeachment trial will set for future Presidencies and Congresses. Unfortunately, I do not believe that those precedents are good ones. I am particularly concerned that we have now set a precedent that the Senate does not have to go forward with witnesses or review documents, even when those witnesses have firsthand information and the documents would allow us to test not just the credibility of witnesses but also test the words of counsel of both parties.

It is my firm belief that the American people deserve more. In short, witnesses and documents would provide the Senate and the American people with a more complete picture of the truth. I believe the American people deserve nothing less.

That is not to say, however, that there is not sufficient evidence in which to render a judgment. There is. As a trial lawyer, I once explained this process to a jury as like putting together the pieces of a puzzle. When you open the box and spread all the pieces on the table, it is just an incoherent jumble. But one by one, you hold those pieces up, and you hold them next to each other and see what fits and what doesn't. Even if, as was often the case in my house growing up, you are missing a few pieces—even important ones—you more often than not see the picture.

As I have said many times, I believe the American people deserve to see a completed puzzle, a picture with all of the pieces—pieces in the form of documents and witnesses with relevant, firsthand information, which would have provided valuable context, corroboration, or contradiction to that which we have heard. But even with missing pieces, our common sense and life's experiences allow us to see the picture as it comes into full view.

Throughout the trial, one piece of evidence continued to stand out for me. It was the President's statement that under the Constitution, ''we have Article II, and I can do anything I want.'' That seems to capture this President's belief about the Presidency; that he has unbridled power, unchecked by Congress or the Judiciary or anyone else. That view, dangerous as it is, explains the President's actions toward Ukraine and Congress.

The sum of what we have seen and heard is, unfortunately, a picture of a President who has abused the great power of his office for personal gain—a picture of a President who has placed his personal interest well above the interests of the Nation and, in so doing,

threatened our national security, the security of our European allies, and the security of Ukraine. The evidence clearly proves that the President used the weight of his office and the weight of the U.S. Government to seek to coerce a foreign government to interfere in our election for his personal political benefit. His actions were more than simply inappropriate; they were an abuse of power.

When I was a lawyer for the Alabama Judicial Inquiry Commission, there was a saying that the chairman of the inquiry commission and one of Alabama's great judges, Randall Cole, used to say about judges who strayed from the canons of ethics. He would say that the judge ''left his post.''

Sadly, President Trump left his post with regard to the withholding of military aid to Ukraine and a White House visit for the new Ukrainian President, and in so doing, he took the great powers of the Office of the President of the United States with him. Impeachment is the only check on such Presidential wrongdoing.

The second article of impeachment, obstruction of Congress, gave me more pause. I have struggled to understand the House's strategy in their failure to fully pursue documents and witnesses and wished that they had done more. However, after careful consideration of the evidence developed in the hearings, the public disclosures, the legal precedents, and the trial, I believe that the President deliberately and unconstitutionally obstructed Congress by refusing to cooperate with the investigation in any way. While I am sensitive to protecting the privileges and immunities afforded to the President and his advisers, I believe it is critical to our constitutional structure that we also protect the authorities of the Congress of the United States. Here it was clear from the outset that the President had no intention whatsoever of accommodating Congress when he blocked both witnesses and documents from being produced. In addition, he engaged in a course of conduct to threaten potential witnesses and smear the reputations of the civil servants who did come forward and provide testimony.

The President's actions demonstrate a belief that he is above the law, that Congress has no power whatsoever in questioning or examining his actions, and that all who do so, do so at their peril. That belief, unprecedented in the history of this country, simply must not be permitted to stand. To do otherwise risks guaranteeing that no future whistleblower or witness will ever come forward, and no future President, Republican or Democrat, will be subject to congressional oversight as mandated by the Constitution even when the President has so clearly abused his office and violated the public trust.

Accordingly, I will vote to convict the President on both Articles of Impeachment. In doing so, I am mindful that in a democracy there is nothing more sacred than the right to vote and respecting the will of the people. But I am also mindful that when our Founders wrote the Constitution, they envisioned a time or at least a possibility that our democracy would be more damaged if we fail to impeach and remove a President. Such is the moment in history that we face today.

The gravity of this moment, the seriousness of the charges, and the implication for future Presidencies and Congress have all contributed to the difficulty at which I arrived at my decision.

I am mindful that I am standing at a desk that once was used by John F. Kennedy, who famously wrote ''Profiles in Courage,'' and there will be so many who simply look at what I am doing today and say that it is a profile in courage. It is not. It is simply a matter of right and wrong, where doing right is not a courageous act; it is simply following your oath.

This has been a divisive time for our country, but I think it has nonetheless been an important constitutional process for us to follow. As this chapter of history draws to a close, one thing is clear to me. As I have said before, our country deserves better than this. They deserve better from the President, and they deserve better from the Congress. We must find a way to come together, to set aside partisan differences, and to focus on what we have in common as Americans.

While so much is going in our favor these days, we still face great challenges, both domestically and internationally. But it remains my firm belief that united we can conquer them and remain the greatest hope for the people around the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, today the Senate is called upon to uphold our oath of office and our duty to the Constitution because President Trump failed to do so himself.

After listening closely to the impeachment managers and the President's defense team, weighing the evidence that was presented to us, and being denied the opportunity to see relevant documents and hear from firsthand witnesses, I will vote to find President Trump guilty on both Articles of Impeachment.

I take no pleasure in voting to impeach a President and remove him from office. I agree with those who say that impeachment should be rare and American voters should decide our elections. That is why it is so galling that President Trump blatantly solicited foreign interference in our democratic process. And he did it as he geared up for reelection.

The evidence shows President Trump deliberately and illicitly sought foreign help to manufacture a scandal that would elevate him by tarnishing a political rival.

He attempted to undermine our democracy, using U.S. taxpayer money in the form of U.S. military aid for Ukraine as leverage for his own personal benefit. The President's aides who heard President Trump's call seeking ''a favor'' from the Ukrainian President immediately sensed it was wrong. So when they alerted the White House lawyers, the record of the call was immediately placed on a highly classified computer system. And despite the President claiming that the version of the call that was publicly released ''is an exact word-for-word transcript of the conversation,'' we know from testimony that there are key omissions in the document we all read.

Compounding the President's misconduct, he then engaged in an extended cover up that appears to be ongoing to this day.

There is a lot to unravel here, and I will provide a more detailed legal explanation in the near future. But for now, let me briefly explain my decision and outline my thoughts on the Senate's impeachment proceedings and the disturbing precedents I fear will be set when the majority chooses to side with the President over the Constitution's checks and balances.

The House of Representatives voted to impeach the President for abuse of power and obstruction of Congress. Based on the uncontested evidence, I concur.

It is clear that President Trump and others, such as Mr. Giuliani, who was serving as the President's lawyer, attempted to coerce the newly elected President of Ukraine to announce two sham investigations, including one that sought to directly damage President Trump's rival in the upcoming election. The President's actions served his personal and political needs, not those of our country. His efforts to withhold military aid to Ukraine for his own personal benefit undermined our national security.

The second article of impeachment charges the President with obstruction of Congress for blocking testimony and refusing to provide documents in response to House subpoenas in the impeachment inquiry. Again, the House managers produced overwhelming evidence of the President's obstruction and his efforts to cover up his malfeasance.

The President's counsel offered a number of unpersuasive arguments against this article, which fail to overcome the following: first, that the legislative branch has sole power over impeachment under the Constitution. That could not be more clear; second, past precedents of prior administrations and court rulings; and third, the blatant October 8 letter expressing a complete rejection of the House's impeachment proceedings.

The Constitution grants the executive branch significant power, but as every student in America learns, our system is one of checks and balances so that no branch is entirely unfettered from oversight and the law.

President Trump would have us believe this system of checks and balances is wrong. In President Trump's own words, he expressed the misguided imperial belief in the supremacy of his unchecked power, stating, quote: ''I have an Article II, where I have the right to do whatever I want as President.''

Couple this sentiment with his January 2016 boast that, quote: ''I could stand in the middle of Fifth Avenue and shoot somebody and I wouldn't lose voters.'' That paints a chilling picture of someone who clearly believes, incorrectly, that he is above the law. The President's attorneys have hewn to this line of faulty reasoning and, in one notably preposterous effort, even claimed the President could avoid impeachment for an inappropriate action motivated entirely by his own political and personal interests.

The President's defense also failed to sufficiently demonstrate that the President's blanket defiance of subpoenas and document requests overcomes the precedents established in prior impeachment proceedings and the record of congressional oversight of the executive branch.

In the Clinton impeachment, there was an enormous amount of documentary evidence, as well as sworn depositions and testimony by the President and his closest advisers.

In the cases of United States v. Nixon, House Judiciary Committee v. Miers, and others, the House managers rightly point out that the courts have held ''Congress's power to investigate is as broad as its power to legislate and lies at the heart of Congress's constitutional role.''

While President Trump's impeachment lawyers claim the House should take the President to court over these previously settled issues, President Trump's lawyers at the Justice Department are simultaneously arguing in the courts that the judicial branch cannot even rule on such matters.

As President Trump staked out new, expansive, and aggressive positions about executive privilege, immunity, and the limits of Congress's oversight authority, Republican leaders went along with it.

I have heard a variety of explanations for why my Republican colleagues voted against witnesses. But no one has offered the simplest explanation: My Republican colleagues did not want to hear new evidence because they have a hunch it would be really, really bad for this President. It would further expose the depth of his wrongdoing. And it would make it harder for them to vote to acquit.

My colleagues on the other side of the aisle did not ask to be put in this position. President Trump's misconduct forced it on them. But in the partisan rush to spare President Trump from having his staff and former staff publicly testify against him under oath, a bar has been lowered, a constitutional guardrail has been removed, the Senate has been voluntarily weakened, and our oversight powers severely diminished.

This short-term maneuver to shield President Trump from the truth is a severe blow against good government that will do lasting damage to this institution and our democracy. I hope one day the damage can be repaired.

The arc of history is indeed long, and it does bend toward justice—but not today. Today, the Senate and the American people have been denied access to relevant, available evidence and firsthand witnesses. We have been prohibited from considering new, material information that became available after the House's impeachment vote.

The Constitution is our national compass. But at this critical moment, clouded by the fog of President Trump's misconduct, the Senate majority has lost its way, and is no longer guided by the Constitution. In order to regain our moral bearings, stay true to our core values, and navigate a better path forward, we must hold President Trump accountable.

The President was wrong to invite foreign interference in our democracy. He was wrong to try and stonewall the investigation. And he is wrong if he thinks he is above the law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, from the first words in the Constitution, the weight that lies on every American's shoulders has been clear: We the people are the ones who dreamed up this wild experiment that we call America, and we the people are the ones charged with ensuring its survival.

That is the tension—the push and the pull—behind our democracy because, while there is no greater privilege than living in a country whose Constitution guarantees our rights, there is no greater burden than knowing that our actions could sap that very same Constitution of its power; that our inaction risks allowing it to wither like any other piece of parchment from some bygone era.

For the past few weeks, it has been my sworn duty as a U.S. Senator to sit as an impartial juror in the impeachment trial of Donald J. Trump. While I wish the President had not put our Nation in this position, after having listened closely with an open mind to both sides, it is now my duty as an American to vote on whether to remove him from office. Other than sending our troops into harm's way, I cannot think of a more serious, more somber vote to take in this Chamber, but as sobering as it is, the right path forward is clear.

Throughout this trial, we have seen unprecedented obstruction from the Trump administration—obstruction so flagrant that it makes Nixon, when in the thick of Watergate, look like the model of transparency. Yet the facts uncovered still prove the truth of the matter: Trump abused his power when he secretly withheld security aid and a White House meeting to try to force Ukraine to announce investigations into a political rival in order to help him swing November's election. He put his political self-interest ahead of our national security. He smeared the name of an American Ambassador, even seemingly risking her safety because she was simply too principled to further his corruption, because she was too clean to help him strong-arm Ukraine into that favor he demanded.

When the reports first emerged about what he had done, he denied it. Then his explanation changed to: Well, maybe I did do it, but it was only because I was trying to root out corruption.

If that were true, there would be some documentary record to prove that, and we have seen absolutely none, even after I asked for it during the questioning period.

Now his defense team has gone so far as to claim that, well, it doesn't matter if he did it because he is the President, and the President can do anything he wants if it will help him get reelected. Breathtaking. To put it another way, when he got caught, he lied. Then, when that lie was found out, he lied again, then again, then again.

Along the way, his own defense counsel could not papier-mache together even the most basic argument to actually exonerate him. The best case they could muster boiled down to: When the President does it, it is not illegal. Nixon already tried that defense. It did not work then, and it does not work now because—here is the thing—in America, we believe not in rulers but in the rule of law.

Through all we have seen over the past few months, the truth has never changed. It is what National Security Council officials and decades-long diplomats testified to under oath. It is what foreign policy experts and Trump administration staffers—and, yes, an American warrior with a Purple Heart—have raised their right hands to tell us, time after time, since the House hearings had begun.

Even some of my Republican colleagues have admitted that Trump ''cross[ed] a line.'' Some said it as recently as this weekend, but many more said months ago that, if Trump did do what he is accused of, then it would, indeed, be wrong. Well, it is now obvious that those allegations were true, and it is pretty clear that Trump's defense team knows that also. If they actually believe Trump did nothing wrong—that his call was ''perfect''—then why would they fight so hard to block the witnesses and the documents from coming to light that could exonerate him? The only reason they would have done so is if they had known that he was guilty. The only reason for one to vote to acquit Trump today is if one is OK with his trying to cover it up.

Now, I know that some folks have been saying that we should acquit

him—that we should ignore our constitutional duty and leave him in office—because we are in an election year and that the voters should decide his fate. That is an argument that rings hollow because this trial was about Trump's trying to cheat in the next election and rob the voters of their ability to decide. Any action other than voting to remove him would give him the license and the power to keep tampering with that race, to keep trying to turn that election into as much of a sham as an impeachment trial without witnesses.

You know, I spent 23 years in the military, and one of the most critical lessons anyone who serves learns is of the damage that can be done when troops don't oppose illegal orders, when fealty becomes blind and ignorance becomes intentional. Just as it is the duty of military officers to oppose unlawful orders, it is the responsibility of public servants to hold those in power accountable.

Former NSC official Fiona Hill understood that when she testified before Congress because she knew that politics must never eclipse national security.

Ambassador Bill Taylor understood that as well. The veteran who has served in every administration since Reagan's answered the question that is at the heart of the impeachment inquiry. He said under oath that, yes, there was a ''clear understanding'' of a quid pro quo—exactly the sort of abuse of power no President should be allowed to get away with.

LTC Alexander Vindman—the Purple Heart recipient who dedicated decades of his life to our Armed Forces—understood the lessons of the past, too, in his saying that, here in America, right matters.

My colleagues in this Chamber who have attacked Lieutenant Colonel Vindman or who have provided a platform for others to tear him down just for his doing what he believes is right should be ashamed of themselves.

We should all be aware of the example we set and always seek to elevate the national discourse. We should be thoughtful about our own conduct both in terms of respecting the rule of law and the sacrifices our troops make to keep us safe because, at the end of the day, our Constitution is really just a set of rules on some pieces of paper. It is only as strong as our will to uphold its ideals and hold up the scales of justice.

So I am asking each of us today to muster up just an ounce of the courage shown by Fiona Hill, Ambassador Taylor, and Lieutenant Colonel Vindman. When our names are called from the dais in a few hours, each of us will either pass or fail the most elementary, yet most important, test any elected official will ever take—whether to put country over party or party over country.

It may be a politically difficult vote for some of us, but it should not be a morally difficult vote for any of us because, while I know that voting to acquit would make the lives of some of my colleagues simpler come election day, I also know that America would have never been born if the heroes of centuries past made decisions based on political expediency.

It would have been easier to have kept bowing down to King George III than to have pushed 342 chests of tea into the Boston Harbor, and it would have been easier to have kept paying taxes to the Crown than to have waged a revolution. Yet those patriots knew the importance of rejecting what was easy if it were in conflict with what was right. They knew that the courage of just a few could change history.

So, when it is time to vote this afternoon, we cannot think of political convenience. If we say abuse of power doesn't warrant removal from office today, we will be paving the way for future Presidents to do even worse tomorrow—to keep breaking the law and to keep endangering our country—one ''perfect'' call, one ''favor,'' one high crime and misdemeanor at a time.

Time and again, over these past few months, we have heard one story about our Founders, perhaps, more than any other. It was the time when Benjamin Franklin walked out of Independence Hall after the Constitutional Convention and someone asked: ''What have we got—a republic or a monarchy?''

We all know what he said: ''A Republic if you can keep it.''

Keeping it may very well come down to the 100 of us in this very Chamber. We are the ones the Constitution vests with the power to hold the President accountable, and through our actions, we are the ones who vest the Constitution with its power.

In this moment, let's think not just of today but of tomorrow too. In this moment, let's remember that, here, right matters; truth matters. The truth is that Donald Trump is guilty of these Articles of Impeachment. I will vote to do the right thing, and I hope my colleagues will as well. For the sake of tomorrow and the tomorrow after that, we must.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUNT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LANKFORD). Without objection, it is so ordered.

Mr. BLUNT. Mr. President, later today I will vote to acquit the President on the charges of the two Articles of Impeachment. A not-guilty verdict, as every Senator on this floor has known for some time, was always what would happen in a House-driven, partisan impeachment process.

Less than a year ago, the Speaker of the House said that we should not go through this process unless something was compelling, unless something was overwhelming, unless something was bipartisan. I think the Speaker was exactly right then, and I hope all future Speakers look at that guidance as we think about this process of impeachment.

In the first 180 years of the Constitution, individual Members talked about impeachment of Presidents—maybe of almost every President—but the Congress only seriously touched this topic one time—one time in 180 years.

In the last 46 years, Presidential impeachment has been before the country three times, and each case has been less compelling than the one before it. We don't want partisan impeachment to become an exercise that happens when one party—not the party of the President—happens to have a majority of the votes in the House of Representatives.

Impeachment is fundamentally a political process. The Members of the Senate meet no standards for a regular jury. The jury can override the judge. Two-thirds of the Senate is necessary to remove the President. We really have no better term in the Constitution, I suppose, to use than ''trial,'' but in any classic sense, this isn't a trial. In any classic sense, a partisan impeachment isn't any kind of a real indictment.

Maybe, first and foremost, the House has to do its job. Part of that job would be to create a case that would produce a bipartisan vote on the articles in the House. If you haven't met that standard—going back to the Speaker's standard—you should work on the case some more and then wonder, if you can't meet the standard, what is wrong with the process you are going through. Part of that job is to do everything necessary to have Articles of Impeachment that are compelling and complete.

The House has time available to it to consider impeachment as they go about their essential work. They can continue to do the work of the Congress. They have weeks, months, if they choose to have, even maybe years to put a case together. They can call witnesses. They can go to court to seek testimony. They can determine if this is an impeachment question or just an oversight question.

The House can do lots of things, but once the Senate gets the Articles of Presidential Impeachment, they become for the Senate an absolute priority. Both our rules and reality mean we cannot do anything else, realistically, until we are done dealing with the case the House sent over.

That was fundamentally what was so wrong with the House sending over a case that they said needed more work. If it needed more work, it should have had more work.

You can be for strong review of the executive. You can be for strong congressional oversight and still support the idea of executive privilege. The

President has the right to unfettered advice and to know all the options. In fact, I think when you pierce that right, you begin to have advisers who may not want to give all the options to the President because it might appear they were for all the options. But the President's advisers need to see that the President understands all the options and implications of a decision.

The President, by the way—another topic that came up here several times—the President determines executive policy. The staff, the assistants, and whoever else works in the executive branch doesn't determine executive policy; the President determines executive policy. The staff can put all the notes in front of the President they want to, but it is the President's decision what the policy of the administration will be. Sharing that decision with the Congress, sharing how he got to that point—or later, she got to that point—with that decision is a negotiated balance.

Congress says: We want to know this.

The President says: No. I need to have some ability for people to give me advice that isn't all available for the Congress.

So this is balanced out, and if that can't happen, if that balance can't be achieved, the judiciary decides what the balance is. The judiciary decides a question and says: You really must talk to the Congress about this, but you don't have to talk to them about the next sentence you said at that same meeting.

That is the kind of balance that occurs.

The idea repeatedly advanced by the House managers that the Senate, by majority vote, can decide these questions is both outrageous and dangerous.

The idea that the government would balance itself is, frankly, the miracle of the Constitution. Nobody had ever proposed, until Philadelphia in 1787, one, that the basis for government was the people themselves, and two, you could have a government that was so finely balanced that it would operate and maintain itself over time.

The House managers would really upend that balance. By being unwilling to take the time the House had to pursue the constitutional solution, they decided: We don't have to worry about the Constitution to have that solution.

To charge that the President's assertion of article II rights that go back to Washington is one of the actual Articles of Impeachment—that is dangerous.

The legislative branch cannot also be the judicial branch. The legislative branch can't also decide ''here is the balance'' if the executive and legislative branch are in a fight about what should be disclosed and what shouldn't. You can't continue to have the three balances of power in our government if one of the branches can decide what the legislative branch should decide.

In their haste to put this case together, the House sent the Senate the two weakest Articles of Impeachment possible. Presidents since Washington have been accused by some Members of Congress of abuse of power. Presidents since Washington have been accused by some Members of Congress of failure to cooperate with the Congress.

The House managers argued against their own case. They repeatedly contended that they had made their case completely, they had made their case totally, they had made their case incontrovertibly, but they wanted us to call witnesses they had chosen not to call. They said they had already been in court 9 months to get the President's former White House Counsel to testify and weren't done yet, but somehow they thought the Senate could get that person and others in a matter of days.

These arguments have been and should have been rejected by the Senate.

Today, the Articles of Impeachment should be and will be rejected by the Senate. Based on the Speaker's March comments, these articles should have never been sent to the Senate. They were not compelling, they were not overwhelming, they were not bipartisan, and most importantly, they were not necessary.

One of the lessons we send today is to this House and to future Houses of Representatives: Do your job. Take it seriously. Don't make it political.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEE. Mr. President, I have long maintained that most, if not all, of the most serious and vexing problems within our Federal Government can be traced to a deviation from the twin core structural protections of the Constitution.

There are two of these protections—one that operates along a vertical axis; the other, a horizontal.

The vertical protection we call federalism, which states a very simple fact: that in the American system of government, most power is to be reserved to the States respectively, or the people, where it is exercised at the State and local level. It is only those powers enumerated in the Constitution, either in article I, section 8 or elsewhere, that are made Federal, those things that the Founding Fathers appropriately deemed unavoidably, necessarily national or that we have otherwise rendered national through a subsequent constitutional amendment.

As was the case when James Madison wrote Federalist No. 45, the powers reserved to the States are numerous and indefinite, while those that are given to the Congress to be exercised federally are few and defined—few and defined powers, the Federal Government; numerous and indefinite reserved for the States.

The horizontal protection operates within the Federal Government itself, and it acknowledges that we have three coequal, independent branches within the Federal Government: one that makes the laws, one that executes the laws, and one that interprets the laws when people can't come to an agreement and have an active, live dispute as to the meaning of a particular law in a particular case or controversy.

Sadly, we have drifted steadily, aggressively from both of these principles over the last 80 years. For roughly the first 150 years of the founding of our Republic and of the operation of our constitutional structure, we adhered pretty closely to them, but over the last 80 years or so, we have drifted steadily. This has been a bipartisan problem. It was one that was created under the broad leadership of Republicans and Democrats alike and, in fact, in Senates and Houses of Representatives and White Houses of every conceivable partisan combination.

We have essentially taken power away from the American people in two steps—first, by moving power from the State and local level and taking it to Washington, in violation of the vertical protection we call federalism; and then a second time, moving it away from the people's elected lawmakers in Washington to unelected, unaccountable bureaucrats placed within the executive branch of government but who are neither elected by the people nor accountable to anyone who is electable. Thus, they constitute essentially a fourth branch of government within our system, one that is not sanctioned or contemplated by the Constitution and doesn't really fit all that well within its framework.

This has made the Federal Government bigger and more powerful. It has occurred in a way that has made people less powerful. It has made government in general and in particular, this government, the Federal Government, less responsive to the needs of the people. It has been fundamentally contrary to the way our system of government operates.

What, one might ask, does any of this have to do with impeachment? Well, in my opinion, everything—or at least a lot. This distance that we have created in these two steps—moving power from the people to Washington and within Washington, handing it to unelected lawmakers or unelected bureaucrats—has created an amount of anxiety among the American people. Not all of them necessarily recognize it in the same way that I do or describe it with the same words, but they know something is not right. They know it when their Federal Government requires them to work many months out of every year just to pay their Federal taxes, only to be told later that it is not enough and hasn't been enough for

a long time since we have accumulated $22 to $23 trillion in debt, and when they come to understand that the Federal Government also imposes some $2 trillion in regulatory compliance costs on the American people.

This harms the poor and middle class. It makes everything we buy more expensive. It results in diminished wages, unemployment, and underemployment. On some level, the American people feel this. They experience this. They understand it. It creates anxiety. It was that very anxiety that caused people to want to elect a different kind of leader in 2016, and they did. It was this set of circumstances that caused them to elect Donald J. Trump as the 45th President of the United States, and I am glad they did because he promised to change the way we do things here, and he has done that.

But as someone who has focused intently on the need to reconnect the American people with their system of government, Donald Trump presents something of a serious threat to those who have occupied these positions of power, these individuals who, while hard-working, well-intentioned, well-educated, and highly specialized, occupy these positions of power within what we loosely refer to as the executive branch but is in reality an unelected, unaccountable fourth branch of government.

He has bucked them on many, many levels and has infuriated them as he has done so, even as he is implementing the American people's wishes to close that gap between the people and the government that is supposed to serve them.

He has bucked them on so many levels, declining to defer to the opinions of self-proclaimed government experts who claim that they know better than any of us on a number of levels.

He pushed back on them, for example, when it comes to the Foreign Intelligence Surveillance Act—or FISA, as it is sometimes described—when he insisted that FISA had been abused in efforts to undermine his candidacy and infringe on the rights of the American people. When he took that position, Washington bureaucrats predictably mocked him, but he turned out to be right.

He called out the folly of engaging in endless nation-building exercises as part of a two-decade-long war effort that has cost this country dearly in terms of American blood and treasure. Washington bureaucrats mocked him again, but he turned out to be right.

He raised questions with how U.S. foreign aid is used and sometimes misused throughout the world, sometimes to the detriment of the American people and the very interests that such aid was created to alleviate. Washington bureaucrats mocked him, but he turned out to be right.

President Trump asked Ukraine to investigate a Ukrainian energy company, Burisma. He momentarily paused U.S. aid to Ukraine while seeking a commitment from the then newly elected Ukrainian President, Volodymyr Zelensky, regarding that effort. He wanted to make sure that he could trust this recently elected President Zelensky before sending him the aid. Within a few weeks, his concerns were satisfied, and he released the aid. Pausing briefly before doing so isn't criminal. It certainly isn't impeachable. It is not even wrong.

Quite to the contrary, this is exactly the sort of thing the American people elected President Trump to do. He would and has decided to bring a different paradigm to Washington, one that analyzes things from how the American citizenry views the American Government.

This has in some respects, therefore, been a trial of the Washington, DC, establishment itself but not necessarily in the way the House managers apparently intended. While the House managers repeatedly invoked constitutional principles, including separation of powers, their arguments have tended to prove the point opposite of the one they intended.

Yes, we badly need to restore and protect both federalism and separation of power, and it is my view that the deviation from one contributes to the deviation from the other. But here, in order to do that, we have to respect the three branches of government for what they are, who leads them, how they operate, and who is accountable to whom.

For them to view President Trump as somehow subservient to the career civil servant bureaucratic class that has tended to manage agencies within the Federal Government, including the National Security Council, the Department of Defense, the Office of Management and Budget, individuals in the White House, and individuals within the State Department, among others, is not only mischaracterizing this problem, it helps identify the precise source of this problem.

Many of these people, including some of the witnesses we have heard from in this trial, have mistakenly taken the conclusion that because President Trump took a conclusion different from that offered by the so-called interagency process, that that amounted to a constitutionally impeachable act. It did not. It did nothing of the sort.

Quite to the contrary, when you actually look at the Constitution itself, it makes clear that the President has the power to do what he did here. The very first section of article II of the Constitution—this is the part of the Constitution that outlines the President's authority—makes clear that ''[t]he executive Power [of the United States Government] shall be vested in the President of the United States.''

It is important to remember that there are exactly two Federal officials who were elected within the executive branch of government. One is the Vice President, and the other is the President.

The Vice President's duties, I would add, are relatively limited. Constitutionally speaking, the Vice President is the President of the Senate and thus performs a quasi-legislative role, but the Vice President's executive branch duties are entirely bound up with those of the President's. They consist of aiding and assisting the President as the President may deem necessary and standing ready to step into the position of the Presidency should it become necessary as a result of disability, incapacitation, or death. Barring that, the entire executive branch authority is bound up within the Presidency itself. The President is the executive branch of government, just as the Justices who sit across the street themselves amount to the capstone of the judicial branch, just as 100 Senators and 435 Representatives are the legislative branch.

The President is the executive branch. As such, it is his prerogative, within the confines of what the law allows and authorizes and otherwise provides, to decide how to execute that. It is not only not incompatible with that system of government, it is entirely consistent with it—indeed, authorized by it.

A President should be able to say: Look, we have a newly elected President in Ukraine.

We have longstanding allegations of corruption within Ukraine. Those allegations have been well-founded in Ukraine. No one disputes that corruption is rampant in Ukraine.

A newly elected President comes in. This President or any President in the future decides: Hey, we are giving a lot of aid to this country—$391 million for the year in question. I want to make sure that I understand how that President operates. I want to establish a relationship of trust before taking a step further with that President. So I am going to take my time a little bit. I am going to wait maybe a few weeks in order to make sure we are on a sure footing there.

He did that. There is nothing wrong with that.

What is the response from the House managers? Well, it gets back to that interagency process, as if people whom the American people don't know or have reason to know because those people don't stand accountable to the people—they are not elected by the people; they are not really accountable to anyone who is in turn elected by the people—the fact that those people involved in the interagency process might disagree with a foreign policy decision made by the President of the United States and the fact that this President of the United States might take a different approach than his predecessor or predecessors does not make this President's decisions criminal. It certainly doesn't make them impeachable. It doesn't even make them wrong.

In the eyes of many and I believe most Americans—they want a President to be careful about how the

United States spends money. They want the United States to stop and reconsider from time to time the fact that we spend a lot of money throughout the world on countries that are not the United States. We want a President of the United States to be able to exercise a little bit of discretion in pushing pause before that President knows whether he can trust a newly elected government in the country in question.

So to suggest here that our commitment to the Constitution; to suggest here, as the House managers have, that our respect for the separation of powers within the constitutional framework somehow demands that we remove the duly elected President of the United States is simply wrong. It is elevating to a status completely foreign to our constitutional structure an entity that the Constitution does not name. It elevates a policy dispute to a question of high crimes and misdemeanors. Those two are not the same thing.

At the end of the day, this government does, in fact, stand accountable to the people. This government is of, by, and for the people. We cannot remove the 45th President of the United States for doing something that the law and the Constitution allow him to do without doing undue violence to that system of government to which every single one of us has sworn an oath.

We have sworn to uphold and protect and defend that system of government. That means standing up for the American people and those they have elected to do a job recognized by the Constitution.

I will be voting to defend this President's actions. I will be voting against undoing the vote taken by the American people some 3½ years ago. I will be voting for the principle of freedom and for the very principles that our Constitution was designed to protect.

I urge all of my colleagues to reject these deeply factually and legally flawed Articles of Impeachment and to vote not guilty.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CRAMER. Mr. President, I rise today to officially declare that I will vote against both Articles of Impeachment brought against President Trump by the very partisan and, quite frankly, ridiculous House of Representatives. I know my position is hardly a surprise, but it is almost as unsurprising as the House impeaching the President, to begin with.

Since the moment he was sworn into office, Democrats have schemed to remove Donald Trump from office. It is not my opinion. I take them at their word. Their fixation on his removal was a conclusion in search of a justification, which they manufactured from a phone conversation between world leaders leaked—leaked—by one of the many career bureaucrats who seem to have forgotten that they work for the elected leaders in this country, not the other way around.

So the two Articles of Impeachment before this body today, in my view, are without merit. They are an affront, in fact, to this institution and to our Constitution, representing the very same partisan derangement that worried our Founding Fathers so much that they made the threshold for impeachment this high.

The Senate exists exactly for moments like this. I didn't arrive at my conclusion to support acquittal hastily or flippantly, and I don't believe any of my colleagues did either, including those who come to a different conclusion from mine. Despite being sent such flawed Articles by the House, the Senate did in fact dutifully and solemnly follow its constitutional obligation. During the last days of the trial, we heard sworn testimony from 13 witnesses, read 17 depositions, asked 180 questions, viewed 193 video clips, and poured over 28,000 pages of documents.

But even more than the House managers' shallow arguments and lack of evidence against and due process for our President and the obvious derangement at the very root of every investigation, beginning with the corrupt FBI Crossfire Hurricane counterintelligence investigation during the 2016 election cycle, the Articles of Impeachment we will vote on in a few hours should have ended at their beginning.

Can we agree that if a Speaker of the House unilaterally declares an impeachment inquiry, it represents the opinion of one Member of Congress, not the official authorization of the entire Congress? Can we agree that a vote to begin an impeachment inquiry that has only partisan support and bipartisan opposition is not what the Founders had in mind and in fact is what they firmly rejected and cautioned about? Can we agree that impeachment articles passed by a majority of one party and opposed by Members of both parties on their face fail, if not the letter of the law, certainly, the spirit of the Constitution?

Yet, even under the cloud of purely partisan politics of the House of Representatives, the Senate conducted a complete, comprehensive trial, resulting, in my view, in a crystal clear conclusion: The Democratic-led House of Representatives failed to meet the most basic standards of proof and has dramatically lowered the bar for impeachment to unacceptable levels. It is deeply concerning, and I believe we must commit to never, ever letting it happen again to the President of any political party.

That can start today. In just a few hours, the Senate will have the opportunity to cast a vote to end this whole ordeal, and, in doing so, can make a statement that the threshold for undoing the will of the American people in the most recent election and undoing the will of a major political party in the upcoming election should be higher than one party's petty obsession.

I hope my colleagues on both sides of the aisle join me in voting against these charges. But whether he is acquitted or convicted and removed, it is my prayer, as we were admonished many times throughout the last few weeks by our Chaplain Black, that God's will is the one that will be done.

Then we can move on to the unifying issues the American people want us to tackle—issues like infrastructure, education, energy security and dominance, national security, and the rising cost of healthcare, among many others. These are issues the American people care about. These are issues that North Dakotans care about. These are issues that the people have sent us here to deal with. Let's do it together. Let's start now.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. HYDE-SMITH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HYDE-SMITH. Mr. President, I will vote to acquit President Donald J. Trump on both Articles of Impeachment presented by House Democrats. I have listened carefully to the arguments presented by the House Democratic managers and the White House defense team. Those prosecuting the President failed on a legal and constitutional basis to produce the evidence required to undertake the very serious act of removing a duly elected President from this office.

This trial exposed that pure political partisanship fueled a reckless investigation and the subsequent impeachment of the President on weak, vague, and noncriminal accusations. The Democrats' case, which lacked the basic standards of fairness and due process, was fabricated to fulfill their one long-held hope to impeach President Trump.

We should all be concerned about the dangerous precedent and consequences of convicting any President on charges originating from strictly partisan reasons. The Founding Fathers warned against allowing impeachment to become a political weapon. In this case, House Democrats crossed that line.

Rejecting the abuse of power and obstruction of Congress articles before us will affirm our belief and the impeachment standards intended by the Founders. With my votes to acquit President Trump, justice will be served. The Senate has faithfully executed its constitutional duties to hear and judge the charges leveled against the President.

I remain hopeful that we can finally set aside this flawed partisan investigation, prosecution, and persecution of President Trump. The people of Mississippi and this great Nation are more interested in us getting back to doing the work they sent us here to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, fellow Senators, I come today to talk about the business at hand. Obviously, it is the vote that we are going to take at 4 o'clock this afternoon.

We were subjected to days and days of trial here—many witnesses, witness statements, and all that sort of thing—and it is incumbent upon us now as jurors to reach a conclusion, and I have done so.

I come at this with a little bit of a different view, probably, than others. I have tried more cases, probably, than anyone on the floor, both as a prosecutor and in private practice. So I watched carefully as the case was presented to us and how the case had been put together by the managers from the House. What I learned in the many years of trial experience that I had is that the only way, really, to try a case and to reach where you want to get is to do it in good faith and to do it honestly.

I had real trouble right at the beginning when I saw that the lead manager read a transcript purporting to be a transcript of the President's phone call that has been at issue here, and it was falsified. It was falsified knowingly, willfully, and intentionally. So, as a result of that, when they walked through the door and wanted to present their case, there was a strike there already, and I put it in that perspective.

How the case unfolded after that was stunning because I have never seen a case succeed the way they put the case together. They put the case together by taking every fact that they wanted to make fly and put it only in the best light without showing the other side but more importantly—more importantly—intentionally excluding evidence. Of course, this whole thing centered on witness statements that the President had somehow threatened or pressured the President of Ukraine to do what he was going to do. That simply wasn't the case. The transcript didn't say that.

Now, admittedly, they had a witness who was going around saying that, and they called every person he told to tell us that that was the situation. The problem is, it was hearsay. There is a good reason why they don't allow hearsay in a court of law, and that is, it simply wasn't true.

When the person who was spreading that rumor actually talked to the President about it, the President got angry and said: That is not true. I would never do that.

They never told us that. Once the tape was shown, the House managers spent days putting together that proposition for us. The President's counsel dismantled that in about an hour and did so really quickly. And, as a result of that, simply from a factual basis, it is my opinion that the prosecution in this case did not meet its burden.

Now, much has been said about witnesses and how they did this and what have you, but the Constitution is crystal clear. It gives the House absolute, total, 100-percent control of impeachment; that is, the investigation and the vote on it. It gives us the same thing but on the trial basis.

The thing I think was surprising is that they came over here and tried to tell us how to do their job. I suspect they, in the House, would feel the exact same way about it if we went over there and told them how they should impeach. They came over here and told us how we should do witnesses and all that sort of thing. They had every opportunity to prepare the case. It was totally in their hands. They had as much time as they wanted, and they simply didn't do it. So in that respect, I also found that they came short.

But the bottom line for me, too, is that there is a second reason I would vote to acquit, and that is the stunning attack that this was on the U.S. Constitution. This is really the first time in history when a purely political attack was instigated by reaching to the U.S. Constitution and using what is really a sacred item in that Constitution, a process that the Founding Fathers gave us for good reason, and that is impeachment.

It was not intended to be used as a political bludgeon. It simply wasn't. We had in front of us the Federalist Papers, and we had the debates of the Constitutional Convention. Really, the one silver lining that came out of this was it underscored again for us the genius of the Founding Fathers giving us three branches of government—not just three branches of government but three branches of government that had distinct lanes in which they operated and, most importantly, indicating that they were separate but equal.

They wanted not a parliamentary system like they had looked at from Britain with a head of state that was a Prime Minister who could be removed and changed, as happens all around the world today. They gave us a unique system with three branches of government.

So the Founding Fathers were very clear. They debated the question of what should it take to get rid of the head of state, and they concluded that the second branch of government couldn't be a strong branch of government if, indeed, the President could be removed as a Prime Minister could be removed, simply by Congress getting unhappy with his policies or disagreeing with him. So, as a result of that, they did give us impeachment, and it is a unique process. They were very clear that it was supposed to be used only in very extreme circumstances and not just simply because of a political disagreement or a policy disagreement. And that is exactly what happened here.

The Federalist Papers and the Constitutional Convention debates are very, very clear that it is not a broad swath of reasons to impeach the President that is given to the first branch of government but, indeed, a very, very narrow swath. It was interesting that, from the beginning, they picked the two words of ''treason'' and ''bribery,'' and to that they then had a long debate about what it would be in addition to that. They had such words as ''malfeasance,'' ''misfeasance,'' ''corruption,'' and all those kinds of things that could be very broad. They rejected all those and said, no, specifically, it had to be ''high Crimes and Misdemeanors.''

So what they did was they narrowed the lane considerably and made it difficult to remove the head of the second branch of government. And then, on top of that, for frosting on the cake, they said it has got to be two-thirds. Now, what did that simply mean? They knew—they knew—that human beings being the way they are, that human beings who were involved in the political process and political parties would reach to get rid of a political enemy using everything they could. So they wanted to see that that didn't happen with impeachment. So, as a result of that, they gave us the two-thirds requirement, and that meant that no President was going to be impeached without a bipartisan movement.

This movement has been entirely partisan. No Republican voted to impeach him in the House of Representatives. This afternoon at 4 we are going to have a vote, and it is going to be along party lines and, again, it is going to be political.

So what do we have here? At the end of the day, we have a political exercise, and that political exercise is going to fail. And once again—once again—God has blessed America, and the Republic that Benjamin Franklin said we have, if we can keep it, is going to be sustained.

I yield the floor.

The PRESIDING OFFICER (Mrs. LOEFFLER). The Senator from Ohio is recognized.

Mr. BROWN. Madam President, over the past 3 weeks, we have heard from the House managers and the President's counsel regarding the facts of the case against President Donald Trump.

Much like trials in Lorain and Lima and Lordstown, OH, or in Marietta, in Massillon, and in Marion, OH, we have seen the prosecution—in this case, the House managers—and the defense—in this case, the President's lawyers—present their cases. All 100 of us—every one of us—are the jury. We took an oath to be impartial jurors. We all took an oath to be impartial jurors just like juries in Ohio and across America. But to some of my colleagues, that just appeared to be a joke.

The great journalist Bill Moyers summed up the past 3 weeks: ''What we've just seen is the dictator of the Senate manipulating the impeachment process to save the demagogue in the White House whose political party has become the gravedigger of democracy.''

Let me say that again. ''What we have just seen is the dictator of the

Senate manipulating the impeachment process to save the demagogue in the White House whose political party has become the gravedigger of democracy.''

Even before this trial began, Leader MCCONNELL admitted out loud that he was coordinating the trial process with the White House. The leader of the Senate was coordinating with the White House on impeachment. I challenge him to show me one trial in my State of Ohio or his State of Kentucky where the jury coordinated with the defense lawyers. In a fair trial, the defense and prosecution would have been able to introduce evidence, to call witnesses, and to listen to testimony.

Every other impeachment proceeding in the Senate for 250 years had witnesses. Some of them had dozens. We had zero. Leader MCCONNELL rushed this trial through. He turned off cameras in this body so that the American public couldn't see the whole process. He restricted reporter access. We know reporters roam the halls to talk to Members of the House and Senate. He restricted access there. He twisted arms to make sure every Republican voted with him to block witnesses. He didn't get a couple of them, but he had enough to protect himself.

The public already sees through it. This is a sham trial. I said from the beginning that I would keep an open mind. If there are witnesses who would exonerate the President, the American people need to hear from them.

Over the course of this trial we heard mounting, overwhelming evidence that President Trump did something that not even Richard Nixon ever did: He extorted a foreign leader. He fired a career foreign service officer for rooting out corruption. He put his own Presidential campaign above our collective national security.

The President said this is just hearsay, but he and the Republican leader, together with 51 of 53 Republican Senators, blocked every single potential witness we wanted to call. The President says it was hearsay. We knew there were witnesses who were in the room with President Trump. We didn't get to hear from them. We didn't hear from Ambassador Bolton. We didn't hear from interim Chief of Staff Mulvaney. We didn't hear from Secretary Pompeo. The Republican leader denied the American people the chance to hear all of them testify under oath.

We have seen more information come to light each day, which builds on the pattern of facts laid out in great detail by the House managers. We have now heard tape recordings of the President of the United States telling associates to ''get rid of'' U.S. Ambassador Yovanovitch, a public servant who devoted her life to fighting corruption and promoting American ideals and foreign policy throughout her long, distinguished career at the State Department. With her removed from the post, it appears the President thought he would be able to compel our ally Ukraine to investigate President Trump's political opponent.

Reporters have now revealed that Ambassador Bolton—again, a firsthand witness—outlined that the President did exactly what the Impeachment Articles allege: He withheld security assistance to an ally at war with Russia in exchange for a political favor.

The Justice Department admits there are 24 emails showing the President's thinking on Ukraine assistance. But you know what? Senator MCCONNELL, down the hall, will not allow us to see any of these 24 emails.

Make no mistake, the full truth is going to come out. The Presiding Officer, my colleagues on the other side of the aisle, they are all going to be embarrassed because they covered this up. It wasn't just the President and the Vice President and Secretary Pompeo and Chief of Staff Mulvaney; it was 51 Republican U.S. Senators, including the Presiding Officer, who is a new Member of this body, who covered up this evidence.

It will come out this week. It will come out this month, this year, the year after that, for decades to come. And when the full truth comes out, we will be judged by our children and grandchildren.

Without additional witnesses, we must judge based on the facts presented. The House managers made a clear, compelling case. In the middle of a war with Russia, the President froze $400 million in security assistance to Ukraine. He wanted an investigation into his 2020 political opponent. He refused a critical meeting with President Zelensky in the Oval Office.

These actions don't promote our national security or the rule of law; they promote Donald Trump personally and his campaign.

We know the President extorted President Zelensky. He asked the leader of a foreign government to help him. That is the definition of an abuse of power. That is why we have no choice—no choice—but to convict this President of abusing his office. All of us know this. To acquit would set a clear, dangerous precedent: If you abuse your office, it is OK. Congress will look the other way.

This trial and these votes we are about to cast are about way more than just President Trump. They are about the future of democracy. It will send a message to this President—or whomever we elect in November—and to all future Presidents. It will be heard around the world—our verdict—by our allies and enemies alike, especially the Russians. Are we going to roll out the welcome mat to our adversaries to interfere in our elections? Are we going to give a green light to the President of the United States to base our country's foreign policy not on our collective, agreed-upon national security or that of our allies, like Ukraine, but on the President's personal political campaign?

These are the issues at stake. If we don't hold this President accountable for abuse of office, if no one in his own party, if no one on this side of the aisle—no one—has the backbone to stand up and say ''stop,'' there is no question it will get worse. How do I know that? I have heard it from a number of my Republican colleagues when, privately, they will tell me, yes, we are concerned about what the President is going to do if he is exonerated.

I was particularly appalled by the words of Mr. Dershowitz. He said: ''If a President does something which he believes will help him get elected in the public interest, that cannot be the kind of quid pro quo that results in impeachment.''

Think about that for a moment. If the President thinks it is OK, he thinks it is going to help his election, and he thinks his election is in the public interest, then it is OK; the President can break any law, can funnel taxpayer money toward his reelection, can turn the arm of the State against his political enemies and not be held accountable. That is what this claim comes down to.

Remember the words of Richard Nixon: ''When the President does it, that means it is not illegal.'' Our country rejected that argument during Watergate. We had a Republican Party with principle in those days and Senators with backbone, and they told that President to resign because nobody is above the State; nobody is above the law.

If we have a President who can turn the Office of the Presidency and the entire executive branch into his own political campaign operation, God help us.

My colleagues think I am exaggerating. We don't have the option to vote in favor of some arguments made during the trial and not others. Mr. Dershowitz's words will live forever in the historical record. If they are allowed to stand beside a ''not guilty'' verdict—make no mistake—they will be used as precedent by future aspiring autocrats. In the words of House Manager SCHIFF, ''that way madness lies.''

I know some of my colleagues agree this sets a dangerous precedent. Some of you have admitted to me that you are troubled by the President's behavior. You know he is reckless. You know he lies. You know what he did was wrong. I have heard Republican after Republican after Republican Senator tell me that privately. If you acknowledge that, if you have said it to me, if you said it to your family, if you said it to your staff, if you just said it to yourself, I implore you, we have no choice but to vote to convict.

What are my colleagues afraid of? I think about the words of ADAM SCHIFF in this Chamber on Tuesday: ''If you find that the House has proved its case and still vote to acquit''—if you still vote to acquit—''your name will be tied to his with a cord of steel and for all of history.''

''[Y]our name will be tied to his with a cord of steel and for all of history.''

So I ask my colleagues again: What are you afraid of?

One of our American fundamental values is that we have no Kings, no nobility, no oligarchs. No matter how rich, no matter how powerful, no matter how much money you give to MITCH MCCONNELL's super PAC, everyone can and should be held accountable.

I hope my colleagues remember that. I hope they will choose courage over fear. I hope they will choose country over party. I hope they will join me in holding this President accountable to the American people we all took an oath to serve.

We know this: Americans are watching. They will not forget.

I will close with quoting, again, Bill Moyers, a longtime journalist: ''What we have just seen is the dictator of the Senate manipulating the impeachment process to save the demagogue in the White House whose political party has become the gravedigger of democracy.''

I know my colleagues on the other side of the aisle know better. I hope they vote what they really know.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Ms. HIRONO. Madam President, when the Framers debated whether to include the power of impeachment in the Constitution, they envisioned a moment very much like the one we face now. They were fearful of a corrupt President who would abuse the Presidency for his or her personal gain, particularly one who would allow any foreign country to interfere in the affairs of our United States. With this fear in mind, the Framers directed the Senate to determine whether to ultimately remove that President from office.

In normal times, the Senate—conscious of its awesome responsibility—would meet this moment with the appropriate sobriety and responsibility to conduct a full and fair trial. That includes calling appropriate witnesses and subpoenaing relevant documents, none of which happened here.

In normal times, the Senate would have weighed the evidence presented by both sides and rendered impartial justice. And in normal times, having been presented with overwhelming evidence of impeachable acts, the Senate would have embraced its constitutional responsibility to convict the President and remove him or her from office.

But as we have learned too often over the past 3 years, these are not normal times. Instead of fulfilling its duty later today, the U.S. Senate will fail its test at a crucial moment of our country by voting to acquit Donald J. Trump of abuse of power and obstruction of Congress.

The Senate cannot blame its constitutional failure on the House managers. They proved their case with overwhelming and compelling evidence. Manager JERRY NADLER laid out a meticulous case demonstrating how and why the President's actions rose to the constitutional standard for impeachment and removal.

Manager HAKEEM JEFFRIES explained how Donald Trump ''directly pressured the Ukrainian leader to commence phony political investigations as a part of his effort to cheat and solicit foreign interference in the 2020 election.''

Manager VAL DEMINGS walked us through the evidence of how Donald Trump used $391 million of taxpayer money to pressure Ukraine to announce politically motivated investigations. She concluded: ''This is enough to prove extortion in court.''

Manager SYLVIA GARCIA showed us how Donald Trump's demand for investigations was purely for his personal, political benefit. She debunked the conspiracy theories the President's counsel raised against former Vice President Joe Biden—Donald Trump's political rival and the true target of his corrupt scheme.

Manager JASON CROW described vividly the human costs of withholding aid from Ukrainian troops fighting a hot war against Russia.

Manager ADAM SCHIFF tied together the evidence of Donald Trump's abuse of power—the most serious of impeachable offenses and one that includes extortion and bribery.

And manager ZOE LOFGREN used her extensive experience to provide perspective on Donald Trump's unprecedented, unilateral, and complete obstruction of Congress to cover up his corrupt scheme. She is the only Member of Congress to be involved in three Presidential impeachments.

The President's lawyers could not refute the House's case. Instead, they ultimately resorted to the argument that, even accepting the facts as presented by the House managers, Donald Trump's conduct is not impeachable. It is what I have called the ''He did it; so what?'' argument.

Many of my Republican colleagues are using the ''So what?'' argument to justify their votes to let the President off the hook. Yet the senior Senator from Tennessee said: ''I think he shouldn't have done it. I think it was wrong.'' He said it was ''inappropriate'' and ''improper, crossing a line.'' But he refused to hold the President accountable, arguing that the voters should decide.

The junior Senator from Iowa said: ''The President has a lot of latitude to do what he wants to do'' but he ''did it maybe in the wrong manner.''

She also said that ''whether you like what the President did or not,'' the charges didn't rise to the level of an impeachable offense.

The junior Senator from Ohio called the President's actions ''wrong and inappropriate'' but said they did not ''rise to the level of removing a duly-elected president from office and taking him off the ballot in the middle of an election.''

And the senior Senator from Florida went so far as to say: ''Just because actions meet a standard of impeachment does not mean it is in the best interest of the country to remove a president from office.''

By refusing to hold this President accountable, my Republican colleagues are reinforcing the President's misguided belief that he can do whatever he wants under article II of the U.S. Constitution.

Donald Trump was already a danger to this country. We have seen it in his policy decisions—from taking away healthcare from millions of Americans to threatening painful cuts to Social Security and Medicare, to engaging in an all-out assault on immigrants in this country.

But today, we are called on to confront a completely different type of danger—one that goes well beyond the significant policy differences I have with this President.

If we let Donald Trump get away with extorting the President of another country for his own personal, political benefit, the Senate will be complicit—complicit—in his next corrupt scheme.

Which country will he bully or invite to interfere in our elections next? Which pot of taxpayer money will he use as a bribe to further his political schemes?

Later today, I will vote to convict and remove President Donald Trump for abusing his power and obstructing Congress. I am under no illusion that my Republican colleagues will do the same. They have argued it is up to the American people to decide, as though impeachment were not a totally separate, constitutional remedy for a lawless President.

As I considered my vote, I listened closely to Manager SCHIFF's closing statement about why the Senate needs to convict this President. He said:

> I do not ask you to convict him because truth or right or decency matters nothing to him—

He is referring to the President—

> but because we have proven our case, and it matters to you. Truth matters to you. Right matters to you. You are decent. He is not who you are.

It is time for the Senate to uphold its constitutional responsibility by convicting this President and holding him accountable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. BENNET. Madam President, when I was in the second grade—which I did twice because I was dyslexic, so I don't know which year of the second grade it was, but one of those 2 years—we were asked to line up in order of whose family had been here the longest period of time and whose family had been here the shortest period of time.

I turned out to be the answer to both of those questions. My father's family went all the way back to the Mayflower, and my mom's family were Polish Jews who survived the Holocaust. They didn't leave Warsaw because my grandfather had a large family he didn't want to leave behind. And in the event—everybody was killed in the war, except my mom, her parents, and an aunt. They lived in Warsaw for 2 years after the war. Then they went to Stockholm for a year. They went to

Mexico City for a year, of all places. And then they came to the United States—the one place in the world they could rebuild their shattered lives, and they did rebuild their shattered lives. My mom was the only person in the family who could speak any English. She registered herself in the New York City public schools. She graduated from Hunter College High School. She went on to graduate from Wellesley College in Massachusetts in one generation. My grandparents rebuilt the business they had lost during the war.

I knew from them how important this symbol of America was to people struggling all over the world. They had been through some of the worst events in human history, and their joy of being Americans was completely unadulterated. I have met many immigrants across this country, and I still haven't met anybody with a stronger accent than my grandparents had, and I have never met anybody who were greater patriots than they were. They understood how important the idea of America was, not because we were perfect—exactly the opposite of that—because we were imperfect. But we lived in a free society that was able to cure its imperfections with the hard work of our citizens to make this country more democratic, more free, and more fair—a country committed to the rule of law. Nobody was above the rule of law, and nobody was treated unfairly by the law, even if you were an immigrant to this country.

From my dad's example, I learned something really different. It might interest some people around here to know he was a staffer in the Senate for many years. I actually grew up coming here on Saturday mornings, throwing paper airplanes around the hallways of the Dirksen Building and Russell Building.

He worked here at a very different time in the Senate. He worked here at a time when Republicans and Democrats worked together to uphold the rule of law, to pass important legislation that was needed by the American people to move our country forward, a time when Democrats and Republicans went back home and said: I didn't get everything I wanted, to be sure, but the 65 percent I did get is worth the bill we have, and here is why the other side needed 35 percent.

Those days are completely gone in the U.S. Senate, and I grieve for them. My dad passed away about a year ago. I know how disappointed he would be about where we are, but there isn't anybody who can fix it, except the 100 people who are here and, I suppose, the American people for whom we ostensibly work.

In the last 10 years that I have been here, I have watched politicians come to this floor and destroy the solemn responsibility we have—the constitutional responsibility we have—to advise and consent on judicial appointments, to turn that constitutional responsibility into nothing more than a vicious partisan exercise. That hasn't been done by the American people. That wasn't done by any other generation of politicians who were in this place. It has been done by this generation of politicians led by the Senator from Kentucky, the majority leader of the Senate.

We have become a body that does nothing. We are an employment agency. That is what we are. Seventy-five percent of the votes we took last year were on appointments. We voted on 26 amendments last year—26—26. In the world's greatest deliberative body, we passed eight amendments in a year. Pathetic. We didn't consider any of the major issues the American people are confronting in their lives, not a single one—10 years of townhalls with people saying to me: MICHAEL, we are killing ourselves, and we can't afford housing, healthcare, higher education, early childhood education. We cannot save. We can't live a middle-class life. We think our kids are going to live a more diminished life than we do.

What does the U.S. Senate do? Cut taxes for rich people. We don't have time to do anything else around here. And now, when we are the only body on planet Earth charged with the responsibility of dealing with the guilt or innocence of this President, we can't even bring ourselves to have witnesses and evidence as part of a fair trial, even when there are literally witnesses with direct knowledge of what the President did practically banging on the door of the Senate saying: Let me testify.

We are too lazy for that. The reality is, we are too broken for that. We are too broken for that. And we have failed in our duty to the American people.

Hamilton said in Federalist 65 that in an impeachment trial we were the inquisitors for the people. The Senate—we would be the inquisitors for the people. How can you be the inquisitors for the people when you don't even dignify the process with evidence and with witnesses?

I often have school kids come visit me here in the Senate, which I really enjoy because I used to be the superintendent of the Denver Public Schools. When they come visit me, they very often have been on the Mall. They have seen the Lincoln Memorial. They have seen the Washington Monument. They have been seen the Supreme Court, this Capitol. And there is a tendency among them to believe that this was just all here, that it was all just here. And of course, 230 years ago, I tell them, none of it was here. None of it was here. It was in the ideas of the Founders, the people whom we call the Founders, who did two incredible things in their lifetime, in their generation, that had never been done before in human history. They wrote a Constitution that would be ratified by the people who lived under it. It never happened before. They would never have imagined that we would have lasted 230 years—at least until the age of Donald Trump.

They led an armed insurrection against a colonial power. We call that the Revolutionary War. That succeeded too.

They did something terrible in their generation that will last for the rest of our days and that is they perpetuated human slavery. The building we are standing in today was built by enslaved human beings because of the decisions that they made.

But I tell the kids who come and visit me that there is a reason why there are not enslaved human beings in this country anymore and that is because of people like Frederick Douglass. He was born a slave in the United States of America, escaped his slavery in Maryland, risked his life and limb to get to Massachusetts, and he found the abolitionist movement there. And the abolitionist movement has been arguing for generations that the Constitution was a pro-slavery document. Frederick Douglass, who is completely self-taught, said to them: You have this exactly wrong, exactly backward, 180 degrees from the truth. The Constitution is an anti-slavery document, Frederick Douglass said, not a pro-slavery document.

But we are not living up to the words of the Constitution. It is the same thing Dr. King said the night before he was killed in Memphis when he went down there for the striking garbage workers and he said: I am here to make America keep the promise you wrote down on the page.

In my mind, Frederick Douglass and Dr. King are Founders, just as much as the people who wrote the Constitution of the United States. How could they not be? How could they not be?

The women who fought to give my kids, my three daughters, the right to vote, who fought for 50 years to get the right to vote—mostly women in this country—are Founders, just like the people who wrote the Constitution, as well.

Over the years that I have been here, I have seen this institution crumble into rubble. This institution has become incapable of addressing the most existential questions of our time that the next generation cannot address. They can't fix their own school. They can't fix our immigration system. They can't fix climate change, although they are getting less and less patient with us on that issue.

But what I have come to conclude is that the responsibility of all of us—not just Senators but all of us as citizens in a democratic republic—230 years after the founding of this Republic, is the responsibility of a Founder. It is that elevated sense of what a citizen is required to do in a republic to sustain that republic, and I think that is the right way to think about it. It gives you a sense of what is really at stake beyond the headlines on the cable television at night and, certainly, in the social media feeds that divide us minute to minute in our political life today.

The Senate has clearly failed that standard. We have clearly failed that standard. The idea that we would turn our backs and close our eyes to evidence pounding on the outside of the doors of this Capitol is pitiful. It is disgraceful, and it will be a stain on this body for all time. More than 50 percent of the people in this place have said that what the President did was wrong. It clearly was wrong. It clearly was unconstitutional. It clearly was impeachable. What President would run for office saying to the American people: I am going to try to extort a foreign power for my own electoral interest to interfere in our elections? It is exactly the kind of conduct that the impeachment clause was written for. It is a textbook case of why the impeachment clause exists.

But even if you don't agree with me that he should have been convicted or that he should be convicted, I don't know how anybody in this body goes home and faces their constituents and says that we wouldn't even look at the evidence.

So I say to the American people: Our democracy is very much at risk. I am not one of those people who believes that Donald Trump is the source of all our problems. I think he has made matters much worse, to be sure, but he is a symptom of our problem. He is a symptom of our failure to tend to the democracy—to our responsibility—as Founders. And if we don't begin to take that responsibility as seriously as our parents and grandparents did—people who faced much bigger challenges than we ever did—nobody is asking us, thank God, to end human slavery. Nobody is asking us to fight for 50 years for the self-evident proposition that women should have the right to vote. We are not marching in Selma, being beaten for the self-evident prospect that all people are created equal. Nobody is asking us to climb the Cliffs of Normandy to fight for freedom in a World War.

But we are being asked to save the democracy and we are going to fail that test today in the Senate. And my prayer for our country is that the American people will not fail that test. I am optimistic that we will not. We have never failed it before, and I don't think we will fail it in our time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Madam President, in 2012, the good people of Wisconsin elected me to work for them in the Senate. Like every one of my fellow Senators, I took an oath of office. In 2018, I was reelected and I took that same oath. We have all taken that oath. It is not to support and defend the President—this President or any other. Our oath is to support and defend the Constitution of the United States. That is our job every day that we come to work, and it certainly is our job here today.

Just over 2 weeks ago, we all stood together right here and we took another oath given to us by Chief Justice Roberts to do impartial judgment in this impeachment trial. I have taken this responsibility very seriously. I have listened to both sides make their case. I have reviewed the evidence presented and I have carefully considered the facts.

From the beginning, I have supported a full, fair, and honest impeachment trial. A majority of this Senate has failed to allow it. I supported the release of critical evidence that was concealed by the White House. The other side of the aisle let President Trump hide it from us, and they voted to keep it a secret from the American people. I voted for testimony of relevant witnesses with direct, firsthand evidence about the President's conduct. Senate Republicans blocked witness testimony because they didn't want to be bothered with the truth.

Every Senate impeachment trial in our Nation's history has included witnesses, and this Senate trial should have been no different. Unfortunately, it was. A majority of the Senate has taken the unprecedented step of refusing to hear all the evidence, declining all the facts, denying the full truth about this President's corrupt abuse of power. President Trump has obstructed Congress, and this Senate will let him.

Last month, President Trump's former National Security Advisor, John Bolton, provided an unpublished manuscript to the White House. The recent media reports about what Ambassador Bolton could have testified to, had he not been blocked as a witness, go to the heart of this impeachment trial—abuse of power and obstruction of Congress.

As reported, in early May 2019, there was an Oval Office meeting that included President Trump, Mick Mulvaney, Pat Cipollone, Rudy Giuliani, and John Bolton. According to Mr. Bolton, the President directed him to help with his pressure campaign to solicit assistance from Ukraine to pursue investigations that would not only benefit President Trump politically but would act to exonerate Russia from their interference in our 2016 elections.

Several weeks later, the U.S. Department of Defense certified the release of military aid to Ukraine, concluding that they had taken substantial actions to decrease corruption. This was part of the security assistance we approved in Congress with bipartisan support to help Ukraine fight Russian aggression. However, President Trump blocked it and covered it up from Congress.

On July 25, 2019, as President Trump was withholding the support for Ukraine, he had a telephone call with Ukrainian President Zelensky. Based on a White House call summary memo that was released 2 months later, we all know the President put his own political interest ahead of our national security and the integrity of our elections.

Based on the clear and convincing evidence presented in this trial, we know President Trump used American taxpayer dollars in security assistance in order to get Ukraine to interfere in our elections to help him politically. We know the President solicited assistance from Ukraine to pursue an investigation of phony conspiracy theories about our 2016 U.S. elections that are a part of a Russian disinformation campaign. We know the President solicited assistance from Ukraine to discredit the conclusion by American law enforcement, the U.S. intelligence community, and confirmed by a bipartisan Senate report that Russia interfered with our 2016 elections. We also know President Trump solicited foreign interference in the upcoming election by pressuring Ukraine to publicly announce investigations to help him politically.

I ask my friends to consider the fact that the Ukrainian President was pressured and prepared to go on an American cable television network to announce these political investigations.

To those who are making the argument to acquit the President because to convict would create further division in our country, I ask you to acknowledge the fact that President Trump's corrupt scheme has given Russia another opening to attack our democracy, interfere in our elections, and further divide our already divided country. We know this to be true, but the Senate is choosing to ignore the truth.

As reported just weeks after the Zelensky call, President Trump told Ambassador Bolton in August that he wanted to continue freezing $391 million in security assistance to Ukraine until it helped with the political investigations. Had Ambassador Bolton testified to these facts in this trial, it would have directly contradicted what the President told Senator JOHNSON in a phone call on August 31, 2019, in which, according to Senator JOHNSON, the President said:

I would never do that. Who told you that?

John Bolton not only has direct evidence that implicates President Trump in a corrupt abuse of power, but he has direct evidence that President Trump lied to one of our colleagues in an attempt to cover it up. It may not matter to this Senate, but I can tell you that it matters to the people of the State of Wisconsin that this President did not tell their Senator the truth.

Based on the facts presented to us, I refuse to join this President's coverup, and I refuse to conclude that the President's abuse of power doesn't matter, that it is OK, and that we should just get over it.

I recognize the courageous public servants who did what this Senate has failed to do—to put our country first. In the House impeachment inquiry, brave government servants came forward and told the truth. They put their jobs on the line. Instead of inspiring us to do our duty—to do our jobs—they

have faced character assassination from this President, the White House, and some of my colleagues here in the Senate. It is a disgrace to this institution that they have been treated as anything less than the patriots they are.

As Army LTC Alexander Vindman said, ''This is America. Here, right matters.''

My judgment is inspired by these words, and I am guided to my commitment to put country before party and our Constitution first.

My vote on the President's abuse of power and obstruction of Congress is a vote to uphold my oath of office and to support and defend the Constitution. My vote is a vote to uphold the rule of law and our uniquely American principle that no one—not even the President—is above the law. I only have 1 of 100 votes in the U.S. Senate, and I am afraid that the majority is putting this President above the law by not convicting him of these impeachable offenses.

Let's be clear. This is not an exoneration of President Trump. It is a failure to show moral courage and hold this President accountable.

Now every American will have the power to make his or her own judgment. Every American gets to decide what is in our public interest. We the people get to choose what is in our national interest. I trust the American people. I know they will be guided by our common good and the truth. The people we work for know what the truth is, and they know, in America, it matters.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, it is important to remind ourselves, at moments like this, how unnatural and uncommon democracy really is.

Just think of all of the important forums in your life. Think about your workplace, your family, your favorite sports team. None of them makes decisions by democratic vote. The CEO decides how much money you are going to make. It is not by the vote of your fellow employees. You love your kids, but they don't get an equal say in household matters as mom and dad do. The plays the Chiefs called on their game-winning drives were not decided by a team vote.

No, most everything in our lives that matters, other than the government under which we live, is not run by democratic vote, and, of course, a tiny percentage of humans—well under 1 percent—have lived in a democratic society over the last thousand years of human history.

Democracy is unnatural. It is rare. It is delicate. It is fragile, and untended to, neglected, or taken for granted, it will disappear like ashes that scatter into the cold night.

This body—the U.S. Senate—was conceived by our Founders to be the ultimate guardians of this brittle experiment in governance. We, the 100 of us, were given the responsibility to keep it safe from those who may deign to harm it, and when the Senate lives up to this charge, it is an awesome, inspirational sight to behold.

I was born 3 weeks after Alexander Butterfield revealed the existence of a taping system in the White House that likely held evidence of President Nixon's crimes, and I was born 1 week after the Senate Watergate Committee, in a bipartisan vote, ordered Nixon to turn over several key tapes.

Now, my parents were Republicans. My mom is still a Republican. Over the years, they have voted for a lot of Democrats and Republicans. They raised me, in the shadow of Watergate, to understand that what mattered in politics wasn't really someone's party. It was whether you were honest and decent and if you were pursuing office for the right reasons.

In the year I was born, this Senate watched a President betray the Nation, and this Senate—both Democrats and Republicans—stood together to protect the country from this betrayal. This is exactly what our Founders envisioned when they gave the Congress the massive responsibility of the impeachment power. They said to use it sparingly, to use it not to settle political scores but to use it when a President has strayed from the bonds of decency and propriety.

The Founders wanted Congress to save the country from bad men who would try to use the awesome power of the executive branch to enrich themselves or to win office illicitly, and I grew up under the belief that, when those bad men presented themselves, this place had the ability to put aside party and work to protect our fragile democracy from attack.

This attack on our Republic that we are debating today, if left unchecked, is potentially lethal. The one sacred covenant that an American President makes with the governed is to use the massive power of the executive branch for the good of the country, not for personal financial or political benefit. The difference between a democracy and a tin-pot dictatorship is that, here, we don't allow Presidents to use the official levers of power to destroy political opponents. Yet that is exactly what President Trump did, and we all know it. Even the Republicans who are going to vote to acquit him today admit that. If you think that our endorsement through acquittal will not have an impact, then, just look at Rudy Giuliani's trip to Ukraine in December, which was in the middle of the impeachment process. He went back, looking for more dirt, and the President was ringing him up to get the details before Giuliani's plane even hit the gate. The corruption hasn't stopped. It is ongoing. If this is the new normal—the new means by which a President can consolidate power and try to destroy political opponents—then we are no longer living in America.

What happened here over the last 2 weeks is as much a corruption as Trump's scheme was. This trial was simply an extension of Trump's crimes—no documents, no witnesses. It was the first-ever impeachment trial in the Senate without either. John Bolton, in his practically begging to come here and tell his firsthand account of the President's corruption, was denied—just to make sure that voters couldn't hear his story in time for them to be able to pressure their Senators prior to an impeachment vote.

This was a show trial—a gift-wrapped present for a grateful party leader. We became complicit in the very attacks on democracy that this body is supposed to guard against. We have failed to protect the Republic.

What is so interesting to me is that it is not like the Republicans didn't see this moment coming. In fact, many of my colleagues across the aisle literally predicted it. Prior to the President's election, here is what the Republican Senators said about Donald Trump.

One said:

He is shallow. He is ill-prepared to be Commander in Chief. I think he is crazy. I think he is unfit for office.

Another said:

The man is a pathological liar. He doesn't know the difference between truth and lies.

Yet another Republican Senator said:

What we are dealing with is a con artist. He is a con artist.

Now, you can shrug this off as election-year rhetoric, but no Democrat has ever said these kinds of things about a candidate from our party, and prior to Trump, no Republican had said such things about candidates from their party either. The truth is the Republicans, before Trump became the head of their party, knew exactly how dangerous he was and how dangerous he would be if he won. They knew he was the archetype of that bad man the Founders intended the Senate to protect democracy from.

That responsibility seems to no longer retain a position of primacy in this body today. The rule of law doesn't seem to come first today. Our commitment to upholding decency and truth and honor is not the priority today. In the modern Senate today, all that seems to matter is party. What is different about this impeachment is not that the Democrats have chosen to make it partisan. It is that the Republicans have chosen to excuse their party's President's conduct in a way that they would not have done and did not do 45 years ago. That is what makes this moment exceptional.

Now, Congressman SCHIFF, in his closing argument, rightly challenged the Democrats to think about what we would do if a President of our party ever committed the same kind of offense that Donald Trump has. I think it was a very wise query and one that we as Democrats should not be so quick on the trigger to answer self-righteously.

Would we have the courage to stand up to our base, to our political supporters, and vote to remove a Democratic President who had chosen to trade away the safety of the Nation for political help? It would not be easy. No, the easy thing to do would be to just do what is happening today—to box our ears, close our eyes, and just hope the corruption goes away.

So I have thought a lot about this question over these past 2 days, and I have come to the conclusion that, at least for me, I would hold the Democrats to the same standard. I would vote to remove. But I admit to some level of doubt, and I think that I need to be honest about that because the pressures today to put party first are real on both sides of the aisle, and they are much more acute today than they were during Watergate.

It is with that reality as context that I prepare to vote today. I believe that the President's crimes are worthy of removal. I will vote to convict on both Articles of Impeachment.

But I know that something is rotten in the state of Denmark. Ours is an institution built to put country above party, and today we are doing, often, the opposite. I believe within the cult of personality that has become the Trump Presidency, the disease is more acute and more perilous to the Nation's health on the Republican side of the ledger, but I admit this affliction has spread to all corners of this Chamber.

If we are to survive as a democracy—a fragile, delicate, constantly in need of tending democracy—then this Senate needs to figure out a way after today to reorder our incentive system and recalibrate our faiths so that the health of one party never ever again comes before the health of our Nation.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Utah.

Mr. ROMNEY. Mr. President, the Constitution is at the foundation of our Republic's success, and we each strive not to lose sight of our promise to defend it.

The Constitution established a vehicle of impeachment that has occupied both Houses of our Congress these many days. We have labored to faithfully execute our responsibilities to it. We have arrived at different judgments, but I hope we respect each other's good faith.

The allegations made in the Articles of Impeachment are very serious. As a Senator juror, I swore an oath before God to exercise impartial justice. I am profoundly religious. My faith is at the heart of who I am. I take an oath before God as enormously consequential.

I knew from the outset that being tasked with judging the President—the leader of my own party—would be the most difficult decision I have ever faced. I was not wrong.

The House managers presented evidence supporting their case, and the White House counsel disputed that case.

In addition, the President's team presented three defenses: first, that there could be no impeachment without a statutory crime; second, that the Bidens' conduct justified the President's actions; and third, that the judgment of the President's actions should be left to the voters. Let me first address those three defenses.

The historic meaning of the words ''high crimes and misdemeanors,'' the writings of the Founders, and my own reasoned judgment convinced me that a President can indeed commit acts against the public trust that are so egregious that, while they are not statutory crimes, they would demand removal from office.

To maintain that the lack of a codified and comprehensive list of all the outrageous acts that a President might conceivably commit renders Congress powerless to remove such a President defies reason.

The President's counsel also notes that Vice President Biden appeared to have a conflict of interest when he undertook an effort to remove the Ukrainian prosecutor general. If he knew of the exorbitant compensation his son was receiving from a company actually under investigation, the Vice President should have recused himself. While ignoring a conflict of interest is not a crime, it is surely very wrong.

With regard to Hunter Biden, taking excessive advantage of his father's name is unsavory but also not a crime.

Given that in neither the case of the father nor the son was any evidence presented by the President's counsel that a crime had been committed, the President's insistence that they be investigated by the Ukrainians is hard to explain other than as a political pursuit. There is no question in my mind that were their names not Biden, the President would never have done what he did.

The defense argues that the Senate should leave the impeachment decision to the voters. While that logic is appealing to our democratic instincts, it is inconsistent with the Constitution's requirement that the Senate, not the voters, try the President. Hamilton explained that the Founders' decision to invest Senators with this obligation rather than leave it to the voters was intended to minimize to the extent possible the partisan sentiments of the public at large. So the verdict is ours to render under our Constitution. The people will judge us for how well and faithfully we fulfill our duty.

The grave question the Constitution tasks Senators to answer is whether the President committed an act so extreme and egregious that it rises to the level of a high crime and misdemeanor. Yes, he did. The President asked a foreign government to investigate his political rival. The President withheld vital military funds from that government to press it to do so. The President delayed funds for an American ally at war with Russian invaders. The President's purpose was personal and political. Accordingly, the President is guilty of an appalling abuse of public trust.

What he did was not ''perfect.'' No, it was a flagrant assault on our electoral rights, our national security, and our fundamental values. Corrupting an election to keep one's self in office is perhaps the most abusive and destructive violation of one's oath of office that I can imagine.

In the last several weeks, I have received numerous calls and texts. Many demanded, in their words, that I ''stand with the team.'' I can assure you that thought has been very much in my mind. You see, I support a great deal of what the President has done. I have voted with him 80 percent of the time. But my promise before God to apply impartial justice required that I put my personal feelings and political biases aside. Were I to ignore the evidence that has been presented and disregard what I believe my oath and the Constitution demands of me for the sake of a partisan end, it would, I fear, expose my character to history's rebuke and the censure of my own conscience.

I am aware that there are people in my party and in my State who will strenuously disapprove of my decision, and in some quarters, I will be vehemently denounced. I am sure to hear abuse from the President and his supporters. Does anyone seriously believe that I would consent to these consequences other than from an inescapable conviction that my oath before God demanded it of me?

I sought to hear testimony from John Bolton, not only because I believe he could add context to the charges but also because I hoped that what he might say could raise reasonable doubt and thus remove from me the awful obligation to vote for impeachment.

Like each Member of this deliberative body, I love our country. I believe that our Constitution was inspired by providence. I am convinced that freedom itself is dependent on the strength and vitality of our national character.

As it is with each Senator, my vote is an act of conviction. We have come to different conclusions, fellow Senators, but I trust we have all followed the dictates of our conscience.

I acknowledge that my verdict will not remove the President from office. The results of this Senate court will, in fact, be appealed to a higher court—the judgment of the American people. Voters will make the final decision, just as the President's lawyers have implored. My vote will likely be in the minority in the Senate. But irrespective of these things, with my vote, I will tell my children and their children that I did my duty to the best of my ability, believing that my country expected it of me.

I will only be one name among many—no more, no less—to future generations of Americans who look at the record of this trial. They will note merely that I was among the Senators

who determined that what the President did was wrong, grievously wrong.

We are all footnotes at best in the annals of history, but in the most powerful Nation on Earth, the Nation conceived in liberty and justice, that distinction is enough for any citizen.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. SCOTT of South Carolina. Mr. President, over the past few weeks, we have heard a lot of arguments, accusations, and anecdotes. Some very skilled speakers on both sides have presented their case both for and against impeachment.

I listened intently, hour after hour, day after day, to the House managers and the President's lawyers, and the word that kept coming to me, that I kept writing down in my notes was ''fairness'' because, you see, here in America you are innocent until proven guilty.

As the President's defense team noted, ''[A]t the foundation of those authentic forms of justice is fundamental fairness. It's playing by the rules. It's why we don't allow deflated footballs or stealing signs from the field. Rules are rules. They're there to be followed.''

You can create all the rhetorical imagery in the world, but without the facts to prove guilt, it doesn't mean a thing. They can say the President cannot be trusted, but without proving why he can't be trusted, their words are just empty political attacks.

You can speak of David v. Goliath, but if you were the one trying to subvert the presumption of innocence, if you were the one to will facts into existence, you are not David; you have become Goliath.

Our job here in the Senate is to ensure a fair trial based on the evidence gathered by the House. I have been accused, as have many of my colleagues, of not wanting that fair trial. The exact opposite is true. We have ensured a fair trial in the Senate after House Democrats abused historical precedents in their zeal to impeach a President they simply do not like.

During prior impeachment proceedings in the last 50 years—lasting around 75 days or so in the House—the House's opposing party was allowed witnesses and the ability to cross-examine. This time, House Republicans were locked out of the first 71 of 78 days. Let me say that differently. The ability to cross-examine the witnesses who are coming before the House against the President, the House Republicans and the President's team were not allowed to cross-examine those witnesses. The ability to contradict and/or to cross-examine or have a conversation about the evidence at the foundation of the trial? The White House counsel and Republicans were not allowed. Think about the concept of due process. The House Republicans and President's team, were not allowed for 71 of 78 days in the House. This is not a fair process. Does that sound fair to you?

Democrats began talking about impeachment within months of President Trump's election and have made it clear that their No. 1 goal—perhaps their only goal—has been to remove him from office. Does that sound fair to you?

They have said: ''We are going to impeach the . . . '' and used an expletive.

They said: ''We have to impeach him, otherwise he's going to win the election.'' Now that might be the transparency we have been looking for in this process—the real root or foundation of why we found ourselves here for 60 hours of testimony. It might be because, as they said themselves, if we don't impeach him, he might just win.

What an amazing thought that the American people and not Members of Congress would decide the Presidency of the United States. What a novel concept that the House managers and Congress would not remove his name from the ballot in 2020, but we would allow the American people to decide the fate of this President and of the Presidency.

They don't get it. They don't understand that the American people should be and are the final arbiters of what happens. They want to make not only the President vulnerable, but they want to make Republican Senators vulnerable so that they can control the majority of the U.S. Senate because the facts are not winning for them. The facts are winning for us because when you look at the facts, they are not their facts and our facts, they are just the facts. What I have learned from watching the House managers who were very convincing—they were very convincing the first day—and after that what we realized was, some facts mixed with a little fiction led to 100 percent deception. You cannot mix facts and fiction without having the premise of deceiving the American public, and that is what we saw here in our Chamber.

Why is that the case? It is simple. When you look at the facts of this Presidency, you come to a few conclusions that are, in fact, indisputable. One of those conclusions is that our economy is booming, and it is not simply booming from the top. When you start looking into the crosstabs, as I like to say, what you find is that the bottom 20 percent are seeing increases that the top 20 percent are not seeing. So this economy is working for the most vulnerable Americans, and that is challenging to our friends on the other side.

When you think about the fact that the opportunity zone legislation supported by this President is bringing $67 billion of private sector dollars into the most vulnerable communities, that is challenging to the other side, but those, too, are facts. When you think about the essence of criminal justice reform and making communities safer and having a fairer justice system for those who are incarcerated, that is challenging to the other side, but it is, indeed, a fact, driven home by the Republican Party and President Donald John Trump. These facts do have consequences, just like elections.

Our friends on the other side, unfortunately, decided that if they could not beat him at the polls, give Congress an opportunity to, in fact, impeach the President. My friends on the left simply don't want a fair process. This process has lacked fairness. Instead, they paint their efforts as fighting on behalf of democracy when, in fact, they are just working on behalf of Democrats. That is not fair. It is not what the American people deserve.

House managers said over and over again, the Senate had to protect our Nation's free and fair elections, but they are seeking to overturn a fairly won election with absurd charges.

The House managers said over and over again that the Senate has to allow new witnesses so as to make the Senate trial fair, but they didn't bother with the notion of fairness when they were in charge in the House.

Their notion of fairness is to give the prosecution do-overs and extra latitude but not the defendants.

Actions speak louder than words, and the Democrats' actions have said all we need to hear.

Let's vote no on these motions today and get back to working for the American people.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, the last time this body—the last time the Senate—debated the fate of a Presidency in the context of impeachment, the legendary Senator from West Virginia, Robert Byrd, rose and said:

> I think my country sinks beneath the yoke. It weeps, it bleeds, and each new day a gash is added to her wounds.

Our country today, as then, is in pain. We are deeply divided, and most days, it seems to me that we here are the ones wielding the shiv, not the salve.

The Founders gave this Senate the sole power to try impeachments because, as Alexander Hamilton wrote: ''Where else than in the Senate could have been found a tribunal sufficiently dignified, or sufficiently independent?''

I wish I could say with confidence that we here have lived up to the faith our Founders entrusted in us. Unfortunately, I fear, in this impeachment trial, the Senate has failed a historic test of our ability to put country over party.

Foreign interference in our democracy has posed a grave threat to our Nation since its very founding. James Madison wrote that impeachment was an ''indispensable'' check against a President who would ''betray his trust to foreign powers.''

The threat of foreign interference remains grave and real to this day. It is indisputable that Russia attacked our 2016 election and interfered in it broadly. President Trump's own FBI Director and Director of National Intelligence have warned us they are intent

on interfering in our election this coming fall.

So, to my Republican colleagues, I have frankly found it difficult to understand why you would continue to so fervently support a President who has repeatedly and publicly invited foreign interference in our elections.

During his 2016 campaign, Donald Trump looked straight into the cameras at a press conference and said: Russia, if you're listening, I hope you're able to find Secretary Clinton's 30,000 emails.

We now know with certainty that Russian military intelligence hackers first attempted to break into Secretary Clinton's office servers for the first time that very day. Throughout his campaign, President Trump praised the publication of emails that Russian hackers had stolen from his political opponent. He mercilessly attacked former FBI Director Robert Mueller throughout his investigation into the 2016 election and allegations of Russian interference.

Now we know, following this trial, that the day after Special Counsel Mueller testified about his investigation to this Congress, President Trump, on a phone call with the President of Ukraine, asked for a favor. He asked President Zelensky to announce an investigation of his chief political rival, former Vice President Joe Biden, and he asked for an investigation into a Russian conspiracy theory about that DNC server. In the weeks and the months since, he has repeated that Ukraine should investigate his political opponent and that China should as well.

During the trial here, after the House managers and President's counsel made their presentation, Senators had the opportunity to ask questions. I asked a question of the President's lawyers about a sentence in their own trial brief that stated: ''Congress has forbidden foreigners' involvement in American elections.''

I simply asked whether the President's own attorneys believed their client, President Trump, agrees with that statement, and they refused to confirm that he does. And how could they when he has repeatedly invited and solicited foreign interference in our elections?

So, to my colleagues: Do you doubt that President Trump did what he is accused of? Do you doubt he would do it again? Do you think for even one moment he would refuse the help of foreign agents to smear any one of us if he thought it was in his best political interest? And I have to ask: What becomes of our democracy when elections become a no-holds-barred blood sport, when our foreign adversaries become our allies, and when Americans of the opposing party become our enemies?

Throughout this trial, I have listened to the arguments of the House managers prosecuting the case against President Trump and of the arguments of counsel defending the President. I engaged with colleagues on both sides of the aisle and listened to their positions.

The President's counsel have warned us of danger in partisan impeachments. They have cautioned that abuse of power—the first article—is a difficult standard to define. They have expressed deep concern about an impeachment conducted on the brink of our next Presidential election.

I understand those concerns and even share some of them. The House managers, in turn, warned us that our President has demonstrated a perilous willingness to seek foreign interference in our elections and presented significant evidence that the President withheld foreign aid from a vulnerable ally, not to serve our national interest but to attack a political opponent. They demonstrated the President has categorically obstructed congressional investigations to cover up his misconduct. These are serious dangers too.

We, then, are faced with a choice between serious and significant dangers. After listening closely to the evidence, weighing the arguments, and reflecting on my constitutional responsibility and my oath to do impartial justice, I have decided today I will vote guilty on both articles.

I recognize that many of my colleagues have made up their minds. No matter what decision you have reached, I think it is a sad day for our country. I myself have never been on a crusade to impeach Donald Trump, as has been alleged against all Democrats. I have sought ways to work across the aisle with his administration, but in the years that have followed his election, I have increasingly become convinced our President is not just unconventional, not just testing the boundaries of our norms and traditions, but he is at times unmoored.

Throughout this trial, I have heard from Delawareans who are frustrated the Senate refused to hear from witnesses or subpoena documents needed to uncover all the facts about the President's misconduct. I have heard from Delawareans who fear our President believes he is above the law and that he acts as if he is the law. I have also heard from Delawareans who just want us to find a way to work together.

It is my sincere regret that, with all the time we have spent together, we could not find common ground at all. From the opening resolution that set the procedures for trial adopted on a party-line basis, the majority leader refused all attempts to make this a more open and more fair process. Every Democrat was willing to have Chief Justice Roberts rule on motions to subpoena relevant witnesses and documents. Every Member of the opposing party refused. We could not even forge a consensus to call a single witness who has said he has firsthand evidence, who is willing to testify and was even preparing to appear before us.

When an impeachment trial becomes meaningless, we are damaged and weakened as a body, and our Constitution suffers in ways not easily repaired. We have a President who hasn't turned over a single scrap of paper in an impeachment investigation. Unlike Presidents Nixon and Clinton before him, who directed their senior advisers and Cabinet officials to cooperate, President Trump stonewalled every step of this Congress's impeachment inquiry and then personally attacked those who cooperated. The people who testified to the House of Representatives in spite of the President's orders are dedicated public servants and deserve our thanks, not condemnation.

Where do we go from here? Well, after President Clinton's impeachment trial, he said: ''This can be and must be a time of reconciliation and renewal for [our country],'' and he apologized for the harm he had done to our Nation.

When President Nixon announced his resignation, he said: ''The first essential is to begin healing the wounds of this Nation.''

I wish President Trump would use this moment to bring our country together, to assure us he would work to make the 2020 election a fair contest; that he would tell Russia and China to stay out of our elections; that he would tell the American people, whoever his opponent might be, the fight will be between candidates, not families; that if he loses, he will leave peacefully, in a dignified manner; and that if he wins, he will work tirelessly to be the President for all people.

But at this point, some might suggest it would be hopelessly naive to expect of President Trump that he would apologize or strive to heal our country or do the important work of safeguarding our next election. So that falls to us.

To my colleagues who have concluded impeachment is too heavy a hammer to wield, if you believe the American people should decide the fate of this President in the next election, what will you do to protect our democracy? What will you do to ensure the American people learn the truth of what happened so that they can cast informed votes? Will you cosponsor bills to secure our elections? Will you insist they receive votes on this floor? Will you express support for the intelligence community that is working to keep our country safe? Will you ensure whistleblowers who expose corruption are protected, not vilified? Will you press this administration to cooperate with investigations and to allow meaningful accommodations so that Congress can have its power of oversight? Why can we not do this together?

Each day of this trial, we have said the Pledge of Allegiance to our common Nation. For my Republican friends who have concluded the voters should decide President Trump's fate, we need to do more together to make that possible. Many of my Democratic friends, I know, are poised to do their very best to defeat President Trump at the ballot box.

So here is my plea—that we would find ways to work together to defend

our democracy and safeguard our next election. We have spent more time together here in the last few weeks than in the last few years. Imagine if we dedicated that same time to passing the dozens of bipartisan bills that have come over from the House that are awaiting action. Imagine what we could accomplish for our States and our country if we actually tackled the challenges of affordable healthcare and ending the opioid crisis, making our schools and communities safer, and bridging our profound disagreements.

What fills me with dread, to my colleagues, is that each day we come to this floor and talk past each other and not to each other and fail to help our constituents.

Let me close by paraphrasing our Chaplain—Chaplain Black—whose daily prayers brought me great strength in recent weeks: May we work together to bring peace and unity. May we permit Godliness to make us bold as lions. May we see a clear vision of our Lord's desire for our Nation and remember we borrow our heartbeats from our Creator each day.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, over the last several months and last several weeks, the American people have watched Washington convulse in partisan accusations, investigations, and endless acrimony. That division reached its high watermark as the U.S. Senate carried out the third Presidential impeachment trial in our Nation's history.

We saw, over the last 2 weeks, an impeachment process that included the testimony of 17 witnesses, more than 100 hours of testimony, and tens of thousands of pages of evidence, records, and documents, which I successfully fought to make part of the record. I fought hard to extend the duration of testimony to ensure that each side could be heard over 6 days instead of just 4. But what we did not see over the last 2 weeks was a conclusive reason to remove the President of the United States—an act which would nullify the 2016 election and rob roughly half the country of their preferred candidate for the 2020 elections.

House managers repeatedly stated that they had established ''overwhelming evidence'' and an ''airtight'' case to remove the President. Yet they also repeatedly claimed they needed additional investigation and testimony. A case cannot be both ''overwhelming'' and ''airtight'' and yet incomplete at the same time. That contradiction is not mere semantics.

In their partisan—their partisan—race to impeach, the House failed to do the fundamental work required to prove its case, to meet the heavy burden. For the Senate to ignore this deficiency and conduct its own investigation would weaponize the impeachment power. A House majority could simply short-circuit an investigation, impeach, and demand the Senate complete the House's work—what they were asking us to do.

The Founders were concerned about this very point. Alexander Hamilton wrote, regarding impeachments: ''[T]here will always be the greatest danger that the decision will be regulated more by the comparative strength of parties, than by real demonstrations of innocence or guilt.''

More recently, Congressman JERRY NADLER, one of the House managers in the trial, said:

> There must never be a narrowly voted impeachment or an impeachment substantially supported by one of our major political parties and largely opposed by the other. Such an impeachment will lack legitimacy.

Last March, Speaker NANCY PELOSI said: ''Impeachment is so divisive to the country that unless there's something so compelling and overwhelming and bipartisan, I don't think we should go down that path, because it divides the country.''

The Framers knew that partisan impeachments could lead to impeachments over policy disagreements. Legal scholars like Charles Black have written that policy differences are not grounds for impeachment. But policy differences about corruption and the proper use of tax dollars are at the very heart of this impeachment. Nevertheless, that disagreement led the House to deploy this most serious of constitutional remedies.

The reason the Framers were concerned about partisan or policy impeachments was their concern for the American people. Removing a President disenfranchises the American people. For a Senate of only 100 people, to do that requires a genuine, bipartisan, national consensus. Here, especially only 9 months before an election, I cannot pretend the people will accept this body removing a President who received nearly 63 million votes without meeting that high burden.

The House managers' other argument to remove the President—obstruction of Congress—is an affront to the Constitution. The Framers created a system of government in which the legislative, executive, and the judiciary are evenly balanced. The Framers consciously diluted each branch's power, making all three separate but equal and empowered to check each other.

The obstruction charge assumes the House is superior to the executive branch. In their zeal, the House managers would disempower the judiciary and demand that the House's interpretation of the sole power of impeachment be accepted by the Senate and the other branches without question. They claim no constitutional privilege exists to protect the executive branch against the legislature seeking impeachment. They go further and claim that a single Justice—a single Justice—exercising the Senate's sole power to try impeachments, can actually strip the executive of its constitutional protections with a simple decree.

In Federalist 78, Hamilton wrote: ''[L]iberty can have nothing to fear from the judiciary alone, but would have everything to fear from its union with either of the other departments.''

If the House managers prevail, the House would have destroyed our constitutional balance, declaring itself the arbiter of constitutional rights and conscripting the Chief Justice to do it.

To be clear, the executive branch is not immune from legislative oversight or impeachment and trial, but that cannot come at the expense of constitutional rights—certainly not without input from the judiciary. After all, since Marbury v. Madison, ''[i]t is emphatically the duty of the Judicial Department to say what the law is.'' Without this separation, nothing stops the House from seeking privileged information under the guise of an impeachment inquiry.

But the House managers say that no matter how flimsy the House's case, if the Executive tries to protect that information constitutionally, that itself is an impeachable offense. That dangerous precedent would weaken the stability of government—constantly threatening the President with removal and setting the stage for a constitutional crisis without recourse to the courts. With that precedent set, the separation of powers would simply cease to exist.

Over the 244-year history of our country, no President has been removed from office. The first Presidential impeachment occurred in 1868. The next was more than 100 years later. Now, 50 percent of Presidents have been impeached in the last 25 years alone. A tool so rarely used in the past is now being used more frequently. It is a dangerous development, and the Senate stands as the safeguard as passions grow even more heated.

These defective articles and the defective process leading to them allow the House to muddy things and claim we are setting a destructive precedent for the future.

Of course, bad cases make bad law. The House's decision to short-circuit the investigation—moving faster than any Presidential impeachment ever, and a wholly partisan one at that—certainly makes for a bad case.

So, again, let me be clear about what this precedent does not do. At the outset, this case does not set the precedent that a President can do anything as long as he believes it to be in his electoral interest. I also reject the claim that impeachment requires criminal conduct. Rather, this shows, first, that House committees cannot simply assume the impeachment power to compel evidence without express authority from the full body and corresponding political accountability.

Second, the House should work in good faith with the Executive through the accommodation process. If that process reaches an impasse, the House should seek the assistance of the judicial branch before turning to impeachment.

Finally, when Articles of Impeachment come to the Senate along partisan lines, when nearly half of the people appear unmoved and maintain adamant support for the President and when the country is just months away from an election, in these circumstances, the American people would likely not accept removing the President, and the Senate can wisely decline to usurp the people's power to elect their own President.

It has been said in this trial that the American people cannot make that decision for themselves. I couldn't disagree more. I believe in the American people. I believe in the power of our people to evaluate the President, to make their decision in November, and to move forward in our enduring effort to form a more perfect union. I do not believe a Senate nullification of two elections over defective Impeachment Articles is in the Nation's best interest.

So let's move forward with the people's business and bring this Nation back together. Let's rise up together, not fight each other. Not all of us voted for President Trump. Not all of us voted for the last President or the one before him. Yet we should work to make our Nation successful regardless of partisan passions. Passion, positively placed, will provide our Nation with the prosperity it has always been blessed with. Partisan poison will prove devastating to our Nation's long-term prosperity.

We must not allow our fractures to destroy our national fabric or partisanship to destroy our friendships. If we come together, we will succeed together, for surely we are bound together in this, the great United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I entered the Senate in the wake of Watergate in 1975, a time when the American people's faith in our institutions was profoundly shaken. The very first vote I cast was in favor of creating the Select Committee to Study Government Operations with Respect to Intelligence Activities and the Rights of Americans—that is, the Church Committee. Through that Committee's work, the American public soon learned of years of abuses that had occurred at the hands of the executive branch's intelligence agencies. In response, the Senate passed sweeping reforms to rein in this overreach. In many ways, this represented the best of the Senate: we came together across party lines to thoroughly investigate, and ultimately curb, gross executive branch abuses.

The Senate has never been perfect. And much has changed in the 45 years I have served in this body. Yet today we face a similar test: whether the Senate, in the face of egregious misconduct directed by the President himself, will rise again to serve as the check on executive abuses our Founders intended us to be.

But today, and throughout this ''trial,'' we are failing this test and witnessing the very worst of the modern Senate. After being confronted with overwhelming evidence of a brazen abuse of executive power, and an equally brazen attempt to keep that scheme hidden from Congress and the American people, the Senate is poised to look the other way. To simply move on. To pretend the Senate has no responsibility to reveal the President's misconduct and, God forbid, hold him to account.

Indeed we are being told the Senate has no constitutional role to play, and only the American people should judge the President's misconduct in the next election. This is despite the Senate's constitutionally-mandated role, and despite the fact that the President's scheme was aimed at cheating in that very election. And now the Senate is cementing a cover-up of the President's misconduct, to keep its extent hidden from the American people. How, then, will the American people be equipped to judge the President's actions? How far the Senate has fallen.

In some ways, President Nixon's misconduct—directing a break-in of the Democratic National Committee headquarters to benefit himself politically—seems quaint compared to what we face today. As charged in Article I, President Trump secretly directed a sweeping, illegal scheme to withhold $400 million in military aid from an ally at war in order to extort that ally into announcing investigations of his political opponent to boost his re-election. Then, instead of hiding select incriminating records, as President Nixon did, President Trump attempted to hide every single record from the American people. As reflected in Article II, President Trump has the distinction of being the only president in our nation's history to direct all executive branch officials not to cooperate with a congressional investigation.

I want to be clear: I did not relish the prospect of an impeachment trial. I have stark disagreements with this President on issues of policy and the law, on morality and honesty. But it is for the American people to judge a president on those matters. Today is not about differences over policy. It is about the integrity of our elections, and it is about the Constitution.

The Constitution cannot not protect itself. During this trial, the words of Washington, Madison, Jefferson, Hamilton, and Lincoln have frequently been invoked on behalf of our Constitution. Now it is our turn to record our names in defense of our democracy.

In Federalist No. 65, Alexander Hamilton described impeachment as the remedy for ''the abuse or violation of some public trust.'' Although that definition has guided the nation for 230 years, President Trump's counsels would have us rely on a very different definition.

The central arguments presented by the President's defense team were stunning. The President argues that we cannot convict him because abuse of power is not impeachable. He can abuse his power to benefit his re-election, and engage in improper quid pro quos, so long he believes his re-election is in the national interest. King Louis XIV of France—who famously declared ''I am the State''—might approve of that reasoning, but the Senate should condemn it. The President and his attorneys even argue that a president may welcome and even request foreign governments to ''dig up dirt'' on their opponents with impunity. Yet not only are such requests illegal, they violate the very premise of our democracy—that American elections are decided only by Americans.

The Senate should flatly reject the President's brazen and dangerous arguments. But an acquittal today will do the opposite. If you believe that the President's outlandish arguments are irrelevant after today, and will have no lasting impact on our democracy, remember this: The President's counsel's claim that abuse of power is not impeachable is largely—and mistakenly—based on the argument of another counsel, Justice Benjamin Curtis, defending another president from impeachment, President Johnson. That was 150 years ago.

What we do today will set a weighty precedent. An acquittal today—despite the overwhelming evidence of guilt, and following a sham of a trial—may fundamentally, and perhaps irreparably, distort our system of checks and balances for another 150 years.

And what a sham trial it was. The fact that this body would not call a uniquely critical witness who has declared his willingness to testify, John Bolton, is beyond outrageous. And why? To punish the House for not taking years to first litigate a subpoena and then litigate every line of testimony? Or is it because testimony detailing this corrupt scheme, no matter how damning, would not alter the Majority Leader's pre-ordained acquittal?

The Senate had a constitutional obligation to try this impeachment impartially. Yet the Senate willfully blinded itself to evidence that will soon be revealed. Senate Republicans even defeated a motion merely to consider and debate whether to seek critical documents and key witnesses. The notion that the Senate could retain the title of the ''world's greatest deliberative body'' following this charade rings hollow.

It is often said that history is watching. I expect that's true. But in this moment we are not merely witnesses to history—we are writing it. It is ours to shape. And let me briefly describe the dark chapters we are inscribing in the story of our republic today.

In his farewell address, George Washington warned us that ''foreign influence is one of the most baneful foes of republican government.'' Yet, as a candidate, President Trump famously requested that Russia hack his political

opponent's emails. Hours later, Russia did. The President then weaponized Russia's criminal influence campaign, which resulted in an investigation that uncovered a morass of inappropriate contacts with Russians, lies to cover them up, multiple instances of the President's obstruction of justice, and 37 other indictments and convictions. Yet, after the saga concluded, the President felt liberated. Literally the day after Special Counsel Robert Mueller testified, the President asked the Ukrainian president ''for a favor.'' He has since publicly repeated his request for Ukraine to intervene in our election, and made the same request to China, on national television.

All of us must ask: If we acquit President Trump today, what will he do tomorrow? None of us knows. But two things I am confident of: President Trump's willingness to abuse his office, and his eagerness to exploit foreign interference in our elections, will only grow. And, crucially, Congress's capacity to do anything about it will be crippled.

While the President's lawyers stood on the Senate floor and admonished the House Managers for failing to litigate each subpoena in court to exhaustion, he had other lawyers in court making the mutually exclusive argument that Article III courts have no jurisdiction to settle disputes between our two branches. Such duplicity would put the two-faced Roman God Janus to shame. Meanwhile, the President's Department of Justice claims not only that President Trump cannot be indicted while in office, he cannot even be investigated.

But don't worry, the President's lawyers promise us, the President is still not above the law because Congress can hold him in check through our confirmation power and power of the purse. Neither would come close to checking a lawless executive. It is well known that the President has effectively stopped nominating senior officials in his administration. He has now set a modern record for acting cabinet secretaries. The President has said that he prefers having acting officials, who bypass Senate scrutiny, because they are easier to control.

More crucially, with this vote today, we inflict grave damage on our power of the purse. I am the Vice Chairman of Appropriations, a Committee on which I have served for 40 years. Members of this Committee not only write the spending bills, they are the guardians of this body's power of the purse, granted exclusively to Congress by the Founders to counter ''all the overgrown prerogatives of the other branches.'' The Framers, having broken free from the grip of a monarchy, feared an unchecked executive who would use public dollars like a king: as a personal slush fund. Yet this is precisely what President Trump has done.

If we fail to hold President Trump accountable for illegally freezing congressionally appropriated military aid to extract a personal favor, what would stop him from freezing disaster aid to states hit by hurricanes and flooding until governors or home state senators agree to endorse him? What would stop any future president from holding any part of the $4.7 trillion budget hostage to their personal whims? The answer is nothing. We will have relinquished the very check that the Founders entrusted to us to ensure a president could never behave like a king.

The President's defense team also argued that impeachment is inappropriate unless it is fully bipartisan. Decades ago, I questioned whether an impeachment would be accepted if not bipartisan. But this argument has revealed itself to be painfully flawed. In 1974, Republicans ultimately convinced President Nixon to resign; in 1999, Democrats condemned President Clinton's private misconduct and supported a formal censure. In contrast, with one important exception, President Trump's supporters have thus far shown no limits in their tolerance of overwhelming misconduct; they even chased out of their party a Congressman who stood up to the President. Indeed, a prerequisite for membership in the Republican Party today appears to be the belief that he can do no wrong. Under this standard, claiming that President Trump's impeachment would only be valid if it were supported by his most unflinching enablers renders the impeachment clause null and void.

That said, I do understand the immense pressure my Republican friends are under to support this President. I know well how much easier it is for me to express my disgust and disappointment that the President has proven himself so unfit for his office. That is one reason why I feel it is important to make a commitment right now. If any president, Republican or Democrat, uses the power of his or her office to extort a foreign nation to interfere in our elections to do the president's domestic political bidding, I will support their impeachment and removal. It is wrong, no matter the party. And we all should say so.

Before I close, I want to thank the brave individuals who shared their testimony with both the House of Representatives and American people. Each of these witnesses served this President in his administration. And they have served their country. They witnessed misconduct originating in the highest office in world, and they spoke up. They did not hide behind the President's baseless order not to cooperate. Most knew that by stepping forward they would be attacked by the President and some of his vindictive defenders. Yet they came forward anyway. We owe them our enduring appreciation. They give me hope for tomorrow.

Yet today is a dark day for our democracy. And what frightens me most is this: We are currently on a dangerous road, and no one has any idea where this road will take us. Not one of us here knows. But we all know our democracy has been indelibly altered.

The notion that the President has learned his lesson is farcical. The President's lead counsel opened and closed this trial by claiming the President did nothing wrong. The President himself describes his actions as ''perfect.'' On 75 separate occasions, including yesterday, he's claimed he's done nothing wrong. Lord help us if the Senate agrees. The only lesson the President has learned from this trial is how easily he can get away with egregious, illegal misconduct.

If the Senate does not recognize the gravity of President Trump's ''violation of the public trust,'' and hold him accountable, we will have seen but a preview of what is to come. Foreign interference in our elections. Total noncompliance with lawful congressional oversight. Disregard of our constitutional power of the purse. Open, flagrant corruption. I fear there is no bottom.

This is the tragic result of the Senate failing its constitutional duty to hold a real trial. We will leave President Trump ''sacred and inviolable'' and with ''no constitutional tribunal to which he is amenable; no punishment to which he can be subjected without involving the crisis of a national revolution.'' As Hamilton warned over two centuries ago, that is not a president; that is a king. I, for one, will not merely ''get over it.''

I have listened very carefully to both sides over the past two weeks. The record has established, leaving no doubt in my view, that President Trump directed the most impeachable, corrupt scheme by any president in this country's history. To protect our constitutional republic, and to safeguard our government's system of checks and balances, my oath to our Constitution compels me to hold the President of the United States accountable.

I will vote to convict and remove President Donald J. Trump from office.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Alabama.

Mr. SHELBY. Mr. President, over the past 2 weeks, my colleagues and I have patiently listened to arguments from both the House managers and the President's counsel right here in the Senate regarding a grave allegation from the House that the President has committed an act worthy of impeachment.

As a Senator, I believe that the first and perhaps most important consideration is whether abuse of power and obstruction of Congress are impeachable offenses as asserted by our House managers.

Impeachment is a necessary and essential component of our Constitution. It serves as an important check on civil officers who commit crimes against the United States. However, our Founding Fathers were wise to ensure that the impeachment and the

conviction of a sitting President would not be of partisan intent. Since President Trump took office, many have sought to delegitimize his Presidency with partisan attacks. We have heard this right here in the Senate, and we have experienced it. This extreme effort to unseat the President, I believe, is unjustified and intolerable.

Now that the Senate has heard and studied the arguments from both sides, I believe the lack of merit in the House managers' case is evident. The outcome of the impeachment trial is a foregone conclusion. Acquittal is the judgment the Senate should and, I believe, will render—and soon.

For my part, I have weighed the House managers' case and found it wanting in fundamental aspects. I will try to explain.

I believe that their case does not allege an impeachable offense. Even if the facts are as they have stated, the managers have failed, I believe, as a matter of constitutional law, to meet the exceedingly high bar for removal of the President as established by our Founding Fathers, the Framers of the Constitution.

In their wisdom, the Framers rejected vague grounds for impeachment—offenses like we have heard here, ''maladministration''—for fear that it would, in the words of Madison, result in a Presidential ''tenure during [the] pleasure of the Senate.''

''Abuse of power,'' one of the charges put forward here by the House managers, is a concept as vague and susceptible to abuse, I believe, as ''maladministration.'' If you take just a minute or two to look at the definitions of ''abuse'' and ''mal,'' they draw distinct similarities. ''Mal,'' a prefix of Latin origin, means bad, evil, wrong. ''Abuse,'' also of Latin origin, means to wrongly use or to use for a bad effect. There is a kinship between ''mal'' and ''abuse.''

As the Framers rejected in their wisdom ''maladministration,'' I believe that they, too, would reject the noncriminal ''abuse of power.'' Instead, the Framers, as the Presiding Officer knows, provided for impeachment only in a few limited cases: treason, bribery, and high crimes and misdemeanors. Only those offenses justify taking the dire step of removing a duly elected President from office and permanently taking his name off the ballot.

This institution, the U.S. Senate, I believe, should not lower the constitutional bar and authorize their theory of impeachment for abuse of power. It is simply not an impeachable offense, in my judgment. Their criteria for removal centers not on the President's actions but on their loose perception of his motivations. If the Senate endorses this approach, we will dramatically transform the impeachment power as we have known it over the years. We will forever turn this grave constitutional power into a tool for adjudicating policy disputes and political disagreements among all of us. The Framers, in their wisdom, cautioned us against this dangerous path, and I believe the Senate will heed their warning.

The other article, the House managers' obstruction of Congress claim, is similarly flawed. Congress's investigative and oversight powers are critical tools, and we use them in ensuring our system of checks and balances. But those powers are not absolute.

The President, too, as head of a coequal branch of government, enjoys certain privileges and immunities from congressional factfinding. That is his constitutional right and has been the right of former Presidents from both parties. The President's mere assertion of privileges and immunities is not an impeachable offense. Endorsing otherwise would be unprecedented and would ignore the past practices of administrations of both parties. Adopting otherwise would drastically undermine the separation of powers enshrined in our Constitution.

This was not what our Framers intended. Nowhere in the Constitution or in the Federal statute is abuse of power or obstruction of Congress listed as a crime—nowhere. What constitutes an impeachable offense is not left to the discretion of the Congress. We cannot expand, I believe, on the scope of actions that could be deemed impeachable beyond that which the Framers intended.

What we really have here, I believe, is nothing more than the abuse of the power of impeachment itself by the Democratic House. Doesn't our country deserve better? The President certainly deserves better.

Today I am proud to stand and repudiate those very weak impeachment efforts, and I will accordingly vote to acquit the President on both articles.

My hope is that, in the future, Congress will reject this episode and, instead, choose to be guided by the Constitution and the words from our Framers.

Basically, I believe it is a time to move on. We know that the American economy is booming. The United States is projecting strength and promoting peace abroad. The President is unbowed. I believe the American people see all of this. At the end of the day, the ultimate judgment rests in their hands. In my judgment, that is just as it should be.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, Benjamin Franklin knew the strength of our Constitution, but he also knew its vulnerability. His words, oft repeated on this floor—''a republic, if you can keep it''—were a stark warning. Franklin believed every generation could face the challenge of protecting and defending our Nation's liberty-affirming document.

We know this personally. Before we can legally serve as Senators, we must publicly swear an oath to support and defend the Constitution of the United States. A trial of impeachment, more than any other Senate assignment, tests the oath each one of us takes before the people of this Nation.

The President's legal team warns us of the danger of impeachment and conviction. They tell us to think carefully about what the removal of a duly elected President could mean for our democracy. But if we should have our eyes wide open to the danger of conviction, we also cannot ignore the danger of acquittal. The facts of this impeachment are well known, and many Republicans concede that they are likely true. They believe as I do, that President Trump pressured the Ukrainian President by withholding vital military aid and a prized White House visit in return for the announcement of an investigation of the Bidens and the Russian-concocted CrowdStrike fantasy.

Some of these same Republicans acknowledge that what the President did was ''inappropriate.'' At least one has used the word ''impeachable.'' But many say they are still going to vote to acquit him regardless. So let's open our eyes to the morning after a judgment of acquittal. Facing a well-established election siege by Russia and other enemies of the United States, we, the Senate, will have absolved a President who continues to brazenly invite foreign interference in our elections. Expect more of the same.

A majority of this body will have voted for the President's argument that inviting interference by a foreign government is not impeachable if it serves the President's personal political interests.

We will also have found for the first time in the history of this Nation that an impeachment proceeding in the Senate can be conducted without any direct witnesses or evidence presented on either side of the case and that a President facing impeachment can ignore subpoenas to produce documents or witnesses to Congress.

Alexander Hamilton described the Senate as the very best venue for an impeachment trial because it is ''independent and dignified,'' in his words. When the Senate voted 51 to 49 against witnesses and evidence, those 51 raised into question any claim to independence or dignity.

In addition, an acquittal will leave the extreme views stated by the President's defense counsel Alan Dershowitz unchallenged: first, that abuse of power is not an impeachable offense; second, that the impeachment charges against the President were constitutionally insufficient; and, third, his most dangerous theory, that unless the President has committed an actual crime, his conduct cannot be corrupt or impeachable as long as he believes it was necessary for his reelection.

By this logic, Professor Dershowitz would have excused Richard Nixon's ordering of IRS audits of his political enemies. Mr. Dershowitz has created an

escape clause to impeachment, which is breathtaking in its impact and unfounded in our legal history. We have all received a letter signed by nearly 300 constitutional law scholars flatly rejecting the arguments offered by the President's defense team.

I ask unanimous consent to have printed in the RECORD the scholars' letter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JANUARY 31, 2020.

TO THE UNITED STATES SENATE: The signatories of this letter are professors of law and scholars of the American constitution who write to clarify that impeachment does not require proof of crime, that abuse of power is an impeachable offense, and that a president may not abuse the powers of his office to secure re-election, whatever he may believe about how beneficial his continuance in power is to the country.

IMPEACHABLE CONDUCT DOES NOT REQUIRE PROOF OF ANY CRIME

Impeachment for ''high Crimes and Misdemeanors'' under Article II of the U.S. Constitution does not require proof that a president violated any criminal law. The phrase ''high Crimes and Misdemeanors'' is a term of art consciously adopted by the drafters of the American constitution from Great Britain. Beginning in 1386, the term was frequently used by Parliament to describe the wide variety of conduct, much of it noncriminal abuses of official power, for which British officials were impeached.

The phrase ''high crimes and misdemeanors'' was introduced into the American constitution by George Mason, who explained the necessity for expanding impeachment beyond ''treason and bribery'' by drawing his colleagues' attention to the ongoing parliamentary impeachment trial of Warren Hastings. Hastings was charged with a long list of abuses of power that his articles of impeachment labeled ''high crimes and misdemeanors,'' but which even his chief prosecutor, Edmund Burke, admitted were not prosecutable crimes. On George Mason's motion, the Philadelphia convention wrote into our constitution the same phrase Parliament used to describe Hastings' non-criminal misconduct.

No convention delegate ever suggested that impeachment be limited to violations of criminal law. Multiple founders emphasized the need for impeachment to extend to plainly non-criminal conduct. For example, James Madison and George Nicholas said that abuses of the pardon power should be impeachable. Edmund Randolph believed that violation of the foreign emoluments clause would be.

Thus, Alexander Hamilton's famous observation in *Federalist 65* that impeachable offenses ''are of a nature which may with peculiar propriety be denominated POLITICAL, as they relate chiefly to injuries done immediately to the society itself'' was not merely an advocate's rhetorical flourish, but a well-informed description of the shared understanding of those who wrote and ratified the Constitution.

Since ratification, one senator and multiple judges have been impeached for non-criminal behavior. The first federal official impeached, convicted, and removed for ''high crimes and misdemeanors'' was Judge John Pickering, whose offenses were making bad legal rulings, being drunk on the bench, and taking the name of the Supreme Being in vain.

Among presidents, the tenth and eleventh articles of impeachment against President Andrew Johnson charged non-criminal misconduct. The first and second articles of impeachment against President Richard Nixon approved by the House Judiciary Committee allege both criminal and non-criminal conduct, and the third alleges non-criminal obstruction of Congress. Indeed, the Nixon House Judiciary Committee issued a report in which it specifically rejected the contention that impeachable conduct must be criminal.

The consensus of scholarly opinion is that impeachable conduct does not require proof of crime.

ABUSE OF POWER IS AN IMPEACHABLE HIGH CRIME AND MISDEMEANOR

It has been suggested that abuse of power is not an impeachable high crime and misdemeanor. The reverse is true. The British Parliament invented impeachment as a legislative counterweight to abuses of power by the Crown and its ministers. The American Framers inserted impeachment into our constitution primarily out of concern about presidential abuse of power. They inserted the phrase ''high crimes and misdemeanors'' into the definition of impeachable conduct in order to cover non-criminal abuses of power of the type charged against Warren Hastings.

As Edmund Randolph observed at the Constitutional Convention, ''the propriety of impeachments was a favorite principle with him'' because ''[t]he Executive will have great opportunities of abusing his power.'' In *Federalist 65*, Hamilton defined ''high crimes and misdemeanors'' as ''those offenses which proceed from the misconduct of public men, or, in other words, from the abuse or violation of some public trust.''

This understanding has often been expressed in the ensuing centuries. For example, in 1926, the House voted to impeach U.S. District Judge George English. The Judiciary Committee report on the matter reviewed the authorities and concluded:

Thus, an official may be impeached for offenses of a political character and for gross betrayal of public interests. Also, for abuses or betrayals of trusts, for inexcusable negligence of duty [or] for the tyrannical abuse of power.

Two of the three prior presidential impeachment crises have involved charges of abuse of power. The eleventh article of impeachment against President Andrew Johnson alleged that he abused his power by attempting to prevent implementation of reconstruction legislation passed by Congress in March 1867, and thus violated Article II, Section 3, of the constitution by failing to ''take care that the laws be faithfully executed.'' The second article of impeachment against Richard Nixon charged a litany of abuses of presidential power, including ''interfering with agencies of the Executive Branch.''

Even if no precedent existed, the constitutional logic of impeachment for abuse of presidential power is plain. The president is granted wide powers under the constitution. The framers recognized that a great many misuses of those powers might violate no law, but nonetheless pose immense danger to the constitutional order. They consciously rejected the idea that periodic elections were a sufficient protection against this danger and inserted impeachment as a remedy.

The consensus of scholarly opinion is that abuse of power is an impeachable ''high crime and misdemeanor.''

A PRESIDENT MAY NOT ABUSE HIS POWERS OF OFFICE TO SECURE HIS OWN RE-ELECTION

Finally, one of President Trump's attorneys has suggested that so long as a president believes his re-election is in the public interest, ''if a president did something that he believes will help get him elected, in the public interest, that cannot be the kind of quid pro quo that results in his impeachment.'' It is true that merely because a president makes a policy choice he believes will have beneficial political effects, that choice is not necessarily impeachable. However, if a President employs his powers in a way that cannot reasonably be explained except as a means of promoting his own reelection, the president's private conviction that his maintenance of power is for the greater good does not insulate him from impeachment. To accept such a view would be to give the president *carte blanche* to corrupt American electoral democracy.

Distinguishing between minor misuses of presidential authority and grave abuses requiring impeachment and removal is not an exact science. That is why the Constitution assigns the task, not to a court, but to Congress, relying upon its collective wisdom to assess whether a president has committed a ''high crime and misdemeanor'' requiring his conviction and removal.

SIGNATORIES

Frank O. Bowman, III; Michael Gerhardt; Laurence H. Tribe; Brenda Wineapple; Timothy Naftali; Neal Kumar Katyal; Pamela S. Karlan; Noah Feldman; Jack M. Balkin; David A. Strauss; Martha Minow; Geoffrey R. Stone; Walter Dellinger; Charles Fried; Erwin Chemerinsky.

Paul Butler; Ralph G. Steinhardt; Dawn Johnsen; Sanford Levinson; John Mikhail; Michael C. Dorf; Julie R. O'Sullivan; Girardeau A. Spann; Richard Primus; Corey Brettschneider; Victoria Nourse; Robin West; Abbe Smith; James V. Feinerman; Jane M. Spinak, Esq.

Peter L. Strauss; Jeffrey Fagan; Ira C. Lupu; David C. Vladeck; Eric M. Freedman; Carol L. Chomsky; Jennifer Taub; Naomi R. Cahn; Stephen I. Vladeck; Jed Shugerman; Ilya Somin; Michael Diamond; Paul Litton; Charles G. Geyh; Prof. Joshua Schwartz.

Alan B. Morrison; Deborah Epstein; Dale A. Whitman; Rodney J. Uphoff; Barry Friedman; Greer Donley; Justin Levitt; Barbara A. Atwood; Daniel J. Steinbock; Samantha Buckingham; Maxwell Stearns; Lauren E. Willis; Kirsten Matoy Carlson; Steven Alan Childress; Liz Ryan Cole.

Florence Wagman Roisman; Margo Kaplan; Mark A. Graber; Sally Goldfarb; Carli N. Conklin; Kandice Johnson; Jeffrey O. Cooper; John Lande; Mary M. Beck; Benjamin G. Davis; Randy Diamond; Melanie DeRousse; Gerald S. Dickinson; Laura Rovner; J. Amy Dillard; Martha Albertson Fineman; Nancy Ota; Ann F. Thomas.

Prof. Dr. Jennifer A. Drobac; Cynthia Matson Adams; Denise Platfoot Lacey, Esq.; David A. Fischer; Ann E. Freedman; Michael A. Middleton; S. David Mitchell; Lance Gable; Julie Goldscheid; Stuart Green; Alan K. Chen; Christopher Hawthorne.

Joshua Aaron Jones, JD, LL.M.; David R. Katner; Nicole B. Godfrey; Stefan H. Krieger; Sarah Lamdan; Laurie L. Levenson; Ann E. Tweedy; Caroline Mala Corbin; Nicole K. McConlogue; David S. Cohen; Perry Dane; Stephen Meili.

James May; Nancy Ota; Catherine J. Ross; April Dawson; Professor Laura J. Hines; Jane C. Murphy; John T. Nockleby; Professor Nancy Levit; Jonathan Oberman; Michele Gilman; Katherine A. Pérez; Stephen Loffredo; William D. Rich.

Joyce Saltalamachia; Dveera Segal; Liz Ryan Cole; Ann Shalleck; Kate Shaw; Earl Singleton; Keith Werhan; Mary B. Culbert; Robert Calhoun; Christine Minhee; Nancy Chi Cantalupo; Professor Steven Zeidman; Kathleen Kim; Professor Lisa Kelly; Alan Saltzman.

Prof. Karl Manheim; Jeffrey M. Feldman; Leah M Litman; Elliott Milstein; Prof. Deborah A Ramirez; Stacy Hawkins; Jeffrey T.

Renz; Mary Crossley; Barbara S. Barron; Ira P. Robbins; Clark B. Lombardi, JD, PhD; Penny M. Venetis; Michael Lawrence; Joanna L. Grossman; Theo Liebmann.

Paul L. Tractenberg; Mikah K. Thompson; Professor Vernon Valentine Palmer; Barbara Stark; Anya Bernstein; Ruti Teitel; William D. Araiza; Lauren Gilbert, Esq.; Christopher E. Czerwonka; James May; Kimberly West-Faulcon; Natalie Gomez-Velez; Phyllis Goldfarb; Rachel Van Cleave; Arnold Rochvarg; Lindsey Webb.

Ethan J. Leib; Carlton F.W. Larson; Natalie M. Chin; Heidi K. Brown; Elizabeth McCormick; Bernard P. Perlmutter, Esq.; Robert St. Martin Westley; John Burkoff; David Rudenstine; Inge M. Van der Cruysse; James Levin; Babe Howell; Robert Knowles; Yvonne Lindgren; Mae Kuykendall.

Marie A. Failinger; Katherine Mattes; Rebecca L. Brown; David B. Cruz; Christoph Henkel; Jim Rowan; Elizabeth B. Cooper; Debra Bechtel; Cornell Clayton; Paul Barron; Allie Robbins; Wanda M. Temm; Jean C. Love; Rosemary Salomone; Rachel Vorspan; Beryl Blaustone.

Susan Etta Keller; Tom I. Romero, II J.D., Ph.D.; Prof. Dr. Frank Emmert, LL.M., FCIArb; Kiel Brennan-Marquez; Marcy Strauss; David A. Harris; Catherine M. Grosso; Lissa Griffin; Steven Mulroy; William W. Berry III; Richard D. Friedman; Anthony M. Dillof; Leslie Rose; Arthur B. Lafrance; Pamela R. Metzger.

Eric J. Miller; Marianne Wesson; Stephen F. Smith; Professor Mark A. Dotson; Donna Coker; Janet Dolgin; Lynda G. Dodd, J.D., Ph.D.; David B. Wexler; Prof. Deborah A Ramirez; Ric Simmons; Matthew R. Hall; Miriam R. Albert; Jennifer A. Gundlach; Michael M. O'Hear.

Robert Westley; Lolita Buckner Inniss; Margie Paris; Amy T. Campbell; Prof. Bruce A. Boyer; Fabio Arcila, Jr.; Michael L. Perlin, Esq.; Vincent M. Southerland; Robert M. Sanger; Cynthia Godsoe; Caren Morrison; Daniel JH Greenwood; Paula C. Johnson; Michael H. Hoffheimer.

Jenia I. Turner; Ben Trachtenberg; Catherine Powell; Ruth-Arlene W. Howe; Charisa Kiyô Smith, Esq.; Dana Alicia Thompson; Mark C. Modak-Truran, J.D., Ph.D.; Professor Irma S. Russell; Nicholas W. Allard; Sarah E. Ricks; Daniel Farber; M. Isabel Medina; Evan Caminker; Miguel Schor; Nina Chernoff.

Rashmi Goel; Barbara Ann White; Monica Eppinger; Jimmy Gurulé; Odeana R. Neal; Gabriel J. Chin; Margaret Montoya, J.D.; Anil Kalhan; Rebecca K. Stewart; Anthony Paul Farley; Sahar Aziz; Jaya Ramji-Nogales; Amy Widman; Perry Dane; Maya Manian.

Amanda Leiter; Paula Galowitz; Jesse A. Goldner; Anthony Paul Farley; Elizabeth Nevins; Rick Wilson; Prof. Jonathan Askin; James R. Maxeiner; Genevieve Byrne; Daniel L. Hatcher; Fred B. Brown; Joseph Pileri; David Jaros; Mark N. Aaronson.

Sonia Gipson Rankin; Richard C. Reuben; Sam Erman; Katy Ramsey; Janet M. Calvo; R. Wilson Freyermuth; Sarah Helene Duggin; Danaya C. Wright; Charles S. Bobis; Kim D. Ricardo; James Gray Pope; Chuck Henson; George W. Conk, M.A., J.D.

Mr. DURBIN. Yet a verdict of acquittal by the Senate blesses the professor's torturous reasoning. An acquittal verdict would also give President Trump's personal attorney Rudy Giuliani a pat on the back to continue his global escapades, harassing American Ambassadors whose service he distrusts, and lounging at European cigar bars with an entourage of post-Soviet amigos.

More than anything, a verdict of acquittal says a majority of the Senate believes this President is above the law and cannot be held accountable for conduct abusing the powers of his office. And make no mistake, this President believes that is true.

On July 23—2 days before his phone call with President Zelensky—President Trump spoke to a group of young supporters and he said: ''I have an Article II, where I have the right to do whatever I want as president.''

This is the dangerous principle that President Trump and his lawyers are asking us, with a verdict of acquittal, to accept. Under the oath I have sworn, I cannot.

What does it say of this Congress and our Nation that in 3 years, we have become so anesthetized to outrage that, for a majority in this Senate, there is nothing—nothing—this President can do or say that rises to the level of blushworthy, let alone impeachable?

Nearly 6 years ago, I traveled to Ukraine with a bipartisan group of Senate colleagues led by John McCain. It was one of John's whirlwind visits where we crammed 5 days' worth of meetings into 48 hours. We arrived in Kyiv on March 14, 2014. It was bitterly cold. Ukrainians had just ousted a corrupt, Russian-backed leader who looted the national treasury and hollowed out their nation's military. They had done so by taking to the streets, risking their lives for democracy and a better future. More than 100 ordinary citizens in Kyiv had been killed by security forces of the old government simply because they were protesting for democracy.

Seeing Ukraine in a fragile democratic transition, Vladimir Putin pounced on them, ordered an invasion and occupied Crimea. Putin and his thinly disguised Russian thugs were on the verge of seizing Donetsk in the east.

I asked the Prime Minister what Ukraine needed to defend itself. He said:

> Everything. We don't have anything that floats, flies or runs.

Many may not appreciate how devastating Russia's war on Ukraine has been to that struggling young democracy. Their costly battle with Russia was for a principle that is really basic to America's national security as well.

In a country with one-eighth of our population, more Ukrainian troops have died defending Ukraine from Russia than American troops have perished in Afghanistan.

During the months President Trump illegally withheld military aid, as many as two dozen Ukrainian soldiers were killed in battle. By withholding security aid from Ukraine for President Trump's personal political benefit, he endangered the security of a fragile democracy.

Can there be any deeper betrayal of a President's responsibility than to endanger our national security and the security of an ally for his own personal political gain?

And to those of my colleagues who describe the President's conduct as merely ''inappropriate,'' I disagree. Disparaging John McCain's service to our country is disgusting and inappropriate. What this President has done to Ukraine crosses that line. It is impeachable.

I will close by remembering two public servants who, like us, were called by history to judge a President. Tom Railsback passed away as this impeachment proceeding began. He was 2 days shy of his 88th birthday. I knew Tom. I considered him a friend.

In 1974, Tom was a Republican Congressman from Moline, IL, and a member of the House Judiciary Committee. He regarded President Nixon as a political friend. He believed that Richard Nixon had achieved much for America, including the opening of the door to China.

After studying the Watergate evidence closely, Congressman Railsback came to believe that Richard Nixon had violated the Constitution. When President Nixon refused to turn over records and recordings requested by Congress, Tom Railsback took to the House floor to say: ''If the Congress doesn't get the material we think we need and then votes to exonerate, we'll be regarded as a paper tiger.''

When he voted to impeach President Nixon, Tom believed it was probably the end of his career, but he was elected four more times. To his dying day, Tom Railsback was proud of his vote. He voted for his country above his party.

Bill Cohen—also a Republican—was a freshman Congressman at the time and a member of the House Judiciary Committee. He studied the evidence with Tom Railsback and then worked with him to draft Articles of Impeachment.

Bill Cohen received death threats, and he thought his votes to impeach President Nixon would be the end of his political career. But he went on to a distinguished career in the House, three terms in the Senate, and served as Secretary of Defense.

Listen to what Bill Cohen said recently of President's Trump's actions:

> This is presidential conduct that you want to be ashamed of. He is corrupting institutions, politicizing the military, and acts like he is THE law.

And then Cohen added:

> If [the President's conduct] is acceptable, we really don't have a Republic as we've known it any more.

May I respectfully say to my Senate colleagues, Ben Franklin warned us of this day.

I will vote guilty on both Articles of Impeachment against President Donald John Trump, on article I abuse of power and article II obstruction of Congress. But at this moment of high constitutional drama, I hope my last words can be a personal appeal to my Senate colleagues.

Last night, many of us attended a State of the Union Address which was as emotionally charged as any I have

ever attended. As divided as our Nation may be and as divided as the Senate may be, we should remember America has weathered greater storms than this impeachment and our current political standoff.

It was Abraham Lincoln, in the darkness of our worst storm, who called on us ''to strive on to finish the work we are in, to work to bind the nation's wounds.''

After this vote and after this day, those of us who are entrusted with this high office must each do our part to work to bind the wounds of our divided nation. I hope we can leave this Chamber with that common resolve.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, let me just begin with a note of optimism. You are going to get to pick the next President, not a bunch of politicians driven by sour grapes. I don't say that lightly. I didn't vote for President Trump. I voted for somebody I wouldn't know if they walked in the door. But I accepted the fact that he won. That has been hard for a lot of people to do. And it is not like I am above the President being investigated.

I supported the Mueller investigation. I had Democratic colleagues come to me and say: We are afraid he is going to fire Mueller. Will you stand with us to make sure Mueller can complete his investigation? And I did—2 years, $32 million, FBI agents, subpoenas, you name it. The verdict is in. What did we find? Nothing. I thought that would be it.

But it is never enough when it comes to President Trump. This sham process is the low point in the Senate for me. If you think you have done the country a good service by legitimizing this impeachment process, what you have done is unleashed the partisan forces of Hell. This is sour grapes.

They impeached the President of the United States in 78 days. You cannot get a parking ticket, if you contested it, in 78 days. They gave out souvenir pens when it was over.

If you can't see through that, your hatred of Donald Trump has blinded you to the obvious. This is not about protecting the country; this is about destroying the President.

There are no rules when it comes to Donald Trump. Everybody in America can confront the witnesses against them, except Donald Trump. Everybody in America can call witnesses on their behalf, except President Trump. Everybody in America can introduce evidence, except for President Trump. He is not above the law, but you put him below the law. In the process of impeaching this President, you have made it almost impossible for future Presidents to do their job.

In 78 days, you took due process, as we have come to know it in America, and threw it in the garbage can. This is the first impeachment in the history of the country driven by politicians.

The Nixon impeachment had outside counsel, Watergate prosecutors. The Clinton impeachment had Ken Starr, who looked at President Clinton for years before he brought it to Congress. The Mueller investigation went on for 2 years. I trusted Bob Mueller. And when he rendered his verdict, it broke your heart. And you can't let it go.

The only way this is going to end permanently is for the President to get reelected. And he will.

So as to abuse of Congress, it is a wholesale assault on the Presidency; it is abandoning every sense of fairness that every American has come to expect in their own lives; it is driven by blind partisanship and hatred of the man himself. And they wanted to do it in 78 days. Why? Because they wanted to impeach him before the election. I am not making this up. They said that.

The reason the President never was allowed to go to court and challenge the subpoenas that were never issued is because the House managers understood it might take time. President Clinton and President Nixon were allowed to go to article III court and contest the House's action. That was denied this President because it would get in the way of impeaching him before the election.

And you send this crap over here, and you are OK with it, my Democratic colleagues. You are OK with the idea that the President was denied his day in court, and you were going to rule on executive privilege as a political body. You are willing to deal out the article III court because you hate Trump that much.

What you have done is you have weakened the institution of the Presidency. Be careful what you wish for because it is going to come back your way.

Abuse of Congress should be entitled ''abuse of power by the Congress.'' If you think ADAM SCHIFF is trying to get to the truth, I have a bridge I want to sell you. These people hate Trump's guts. They rammed it through the House in a way you couldn't get a parking ticket, and they achieved their goal of impeaching him before the election.

The Senate is going to achieve its goal of acquitting him in February. The American people are going to get to decide in November whom they want to be their President.

Acquittal will happen in about 2 hours; exoneration comes when President Trump gets reelected because the people of the United States are fed up with this crap. But the damage you have done will be long-lasting.

Abuse of power. You are impeaching the President of the United States for suspending foreign aid for a short period of time that they eventually received ahead of schedule to leverage an investigation that never happened. You are going to remove the President of the United States for suspending foreign aid to leverage an investigation of a political opponent that never occurred. The Ukrainians did not know of the suspension until September. They didn't feel any pressure. If you are OK with Joe Biden and Hunter Biden doing what they did, it says more about you than it does anything else. The point of the abuse of power article is that you made it almost impossible now for any President to pick up the phone, if all of us can assume the worst and impeach somebody based on this objective standard. He was talking about corruption in the Ukraine with a past President.

And the Bidens' conduct in the Ukraine undercut our ability to effectively deal with corruption by allowing his son to receive $3 million from the most corrupt gas company in the Ukraine. Can you imagine how the Ukrainian Parliamentarian must have felt to be lectured by Joe Biden about ending sweetheart deals?

What you have done is impeached the President of the United States and willing to remove him because he suspended foreign aid for 40 days to leverage an investigation that never occurred.

And to my good friend DICK DURBIN, Donald Trump has done more to help the Ukrainian people than Barack Obama did in his entire 8 years. If you are looking for somebody to help the Ukrainian people fight the Russians, how about giving them some weapons?

This is a sham. This is a farce. This is disgusting. This is an affront to President Trump as a person. It is a threat to the office. It will end soon. There is going to be an overwhelming rejection of both articles. We are going to pick up the pieces and try to go forward.

But I can say this without any hesitation: I worry about the future of the Presidency after what has happened here. Ladies and gentlemen, you will come to regret this whole process.

And to those who have those pens, I hope you will understand history will judge those pens as a souvenir of shame.

Mr. President, this is my second Presidential impeachment. My first was as a House manager for the impeachment of President Clinton. I believe President Clinton corruptly interfered in a lawsuit filed against him by a private citizen alleging sexual assault and misconduct. It was clear to me that President Clinton tampered with the evidence, suborned perjury, and tried to deny Paula Jones her day in court. I believed then and continue to believe now that these criminal acts against a private citizen by President Clinton were wholly unacceptable and should have cost him his job. However, at the end of the Clinton impeachment, I accepted the conclusions of the Senate and said that a cloud had been removed from the Presidency, and it was time to move on.

During the Clinton impeachment, I voted against one Article of Impeachment that related to lying under oath regarding his sexual relationship with

Monica Lewinsky. While the conduct covered by that article was inappropriate, to have made such conduct impeachable would have done grave damage to the Presidency by failing to recognize that, in the future, the office will be occupied by flawed human beings. It was obvious to me that President Clinton's lying under oath about his relationship with Monica Lewinsky, while wrong, was not a high crime or misdemeanor and that many people in similar circumstances would be inclined to lie to protect themselves and their families.

As to the impeachment of President Trump, I feel compelled to condemn the impeachment process used in the House because I believe it was devoid of basic, fundamental due process. The process used in the House for this impeachment was unlike that used for Presidents Nixon or Clinton. This impeachment was completed within 78 days and had a spirit of partisanship and revenge that if accepted by the Senate will lead to the weaponization of impeachment against future presidents.

President Trump was entirely shut out of the evidence gathering stage in the House Intelligence Committee, denied the right to counsel, and the right to cross-examine and call witnesses. Moreover, the great volume of evidence gathered against President Trump by the House Intelligence Committee consists of inadmissible hearsay. The House Judiciary Committee impeachment hearings were, for lack of a better term, a sham. And most importantly, the House managers admitted the reason that neither the House Intelligence Committee nor the House Judiciary Committee sought testimony in the House from President Trump's closest advisers, including former National Security Adviser John Bolton, Secretary of State Mike Pompeo, and Acting Chief of Staff Mick Mulvaney, is because it would have required the House to go to court, impeding their desire to impeach the President before the election. It was a calculated decision to deal article III courts out of President Trump's impeachment inquiry due to a political timetable. The Senate must send a clear message that this can never, ever happen again.

As to the substance of the allegations against President Trump, the abuse of power charge as defined by the House is vague, does not allege criminal misconduct, and requires the Senate to engage in a subjective analysis of the President's motives and actions. The House managers argued to the Senate that the sole and exclusive purpose of freezing aid to Ukraine was for the private, political benefit of President Trump. It is clear to me that there is ample evidence—much more than a mere scintilla—that the actions of Hunter Biden and Vice President Biden were inappropriate and undercut American foreign policy.

Moreover, there was evidence in the record that officials in Ukraine were actively speaking against Candidate Trump and were pulling for former Secretary of State Clinton. Based on the overwhelming amount of evidence of inappropriate behavior by the Bidens and statements by State Department officials about certain Ukrainians' beliefs that one American candidate would be better than the other, I found it eminently reasonable for the President to be concerned about Ukraine corruption, election interference, and the behavior of Vice President Biden and his son Hunter. It is hard to believe that Vice President Biden was an effective messenger for reform efforts in Ukraine while his son Hunter was receiving $3 million from Burisma, one of Ukraine's most corrupt companies.

As Professor Dershowitz described, there are three buckets for examining allegations of corrupt motive or action with regards to impeachment. The first is where there is clearly only a public, national benefit, as in the analogy of freezing aid to Israel unless it stops building new settlements. The second is the mixed motive category in which there is a public benefit—in this case, the public benefit of exposing the Bidens' conduct in the Ukrainian energy sector—and the possibility of a personal, political benefit as well. The third is where there is clearly a pure corrupt motive, as when there is a pecuniary or financial benefit, an allegation that has not been made against President Trump.

It is obvious to me that, after the Mueller report, President Trump viewed the House impeachment inquiry as a gross double standard when it comes to investigations. The House launched an investigation into his phone call with President Zelensky while at the same time the House showed no interest in the actions of Vice President Biden and Hunter Biden. The President, in my view, was justified in asking the Ukrainians to look into the circumstances surrounding the firing of Ukrainian Prosecutor General Viktor Shokin, who was investigating Burisma, and whether his termination benefited Hunter Biden and Burisma.

It is clear to me that the phone call focused on burden-sharing, corruption, and election interference in an appropriate manner. The most vexing question was how the President was supposed to deal with these legitimate concerns. The House managers in one moment suggest that President Trump could not have asked the Attorney General to investigate these concerns because that would be equivalent to President Trump asking for an investigation of a political rival. But in the next moment, the House managers declare that the proper way for President Trump to have dealt with those allegations would have been to ask the Attorney General to investigate. They cannot have it both ways. I believe that it is fair to criticize President Trump's overreliance on his private attorney, Rudy Giuliani, to investigate alleged corruption and conflicts of interest regarding the Bidens and Burisma. However, I do not find this remotely an impeachable offense, and it would be beneficial for the country as a whole to find ways to deal with such matters in the future.

Assuming the facts in the light most favorable to the House managers, that for a period of time the aid was suspended by President Trump to get Ukraine to investigate the Bidens and election interference, I find both articles fail as nonimpeachable offenses. I find this to be the case even if we assume the New York Times article about Mr. Bolton is accurate. The Ukrainians received the military aid and did not open the requested investigation.

The abuse of power Article of Impeachment is beyond vague and requires a subjective analysis that no Senator should have to engage in. It also represents an existential threat to the Presidency. Moreover, the obstruction of Congress article is literally impeaching the President because he chose to follow the advice of White House counsel and the Department of Justice and he was willing to use constitutional privileges in a manner consistent with every other President. This article must be soundly rejected, not only in this case, but in the future. Whether one likes President Trump or not, he is the President with privileges attached to his office.

The House of Representatives, I believe, abused their authority by rushing this impeachment and putting the Senate in the position of having to play the role of an article III court. The long term effect of this practice would be to neuter the Presidency, making the office of the President only as strong as the House will allow.

The allegations contained in this impeachment are not what the Framers had in mind as high crimes or misdemeanors. The Framers, in my view, envisioned serious, criminal-like misconduct that would shake the foundation of the American constitutional system. The Nixon impeachment had broad bipartisan support once the facts became known. The Clinton impeachment started with bipartisan support in the House and ended with bipartisan support in the Senate, even though it fell well short of the two-thirds vote requirement to remove the President. In the case of President Trump, this impeachment started as a partisan affair with bipartisan rejection of the Articles of Impeachment in the House and, if not rejected in the Senate, will lead to impeachment as almost an inevitability, as future Presidents will be subject to the partisan whims of the House in any given moment.

My decision to vote not guilty on both Articles of Impeachment, I hope, will be seen as a rejection of what the House did and how they did it. I firmly believe that article III courts have a role in the impeachment process and that, to remove a President from office, the conduct has to be of a nature

that would shake the very foundation of our constitutional system. The impeachment of President Trump was driven by a level of partisanship and ends justify the means behavior that the American people have rejected. The best way to end this matter is to allow the American people to vote for or against President Trump in November, not to remove him from the ballot.

These Articles of Impeachment must be soundly rejected by the Senate because they represent an assault on the Presidency itself and the weaponization of impeachment as a political tool. They must fail for a variety of reasons. First, the conduct being alleged by House managers is that there was a temporary suspension on military assistance to Ukraine, which was eventually received ahead of schedule to leverage an investigation that never occurred. This is not the constitutional earthquake the Founders had in mind regarding bribery, treason, or other high crimes and misdemeanors. Second, the articles as drafted do not allege any semblance of a crime and require the Senate to make a subjective analysis of the President's motives. Third, the record is abundant with evidence that the President had legitimate concerns about corruption, election interference emanating from the Ukraine, and that Vice President Biden and his son undercut U.S. efforts to reform corruption inside Ukraine.

The second article, alleging obstruction of Congress, is literally punishing the President for exercising the legal rights available to all Presidents as part of our constitutional structure. This article must fail because the House chose their impeachment path based on a political timetable of impeaching the President before Christmas to set up an election year trial in the Senate. The Senate must reject the theory offered by the House managers with regard to obstruction of Congress; to do otherwise would allow the House in the future to deal article III courts out of the impeachment process and give the House complete control over the impeachment field in a way that denies fundamental fairness.

Because it took the House 78 days from start to finish to impeach the President of the United States and, during its fact-gathering process, the House denied the President the right to counsel, to cross-examine witnesses against him, and the ability to introduce evidence on his behalf, the Senate must reject both Articles of Impeachment.

I am compelled to vote not guilty, to ensure impeachment will not become the new normal.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, the Articles of Impeachment before us charged President Donald John Trump with offenses against the Constitution and the American people.

The first Article of Impeachment charges that President Trump abused the Office of the Presidency by soliciting the interference of a foreign power, Ukraine, to benefit himself in the 2020 election. The President asked a foreign leader to ''do us a favor''—''us'' meaning him—and investigate his political opponents.

In order to elicit these political investigations, President Trump withheld a White House meeting and hundreds of millions of dollars in military assistance from an ally at war with Russia. There is extensive documentation in the record proving this quid pro quo and the corrupt motive behind it. The facts are not seriously in dispute. In fact, several Republican Senators admitted they believe the President committed this offense with varying degrees of ''inappropriate,'' ''wrong,'' ''shameful.'' Almost all Republicans will argue, however, that this reprehensible conduct does not rise to the level of an impeachable offense.

The Founders could not have been clearer. William Davie, a delegate to the Constitutional Convention, deemed impeachment ''an essential security,'' lest the President ''spare no efforts or means whatever to get himself reelected.''

James Madison offered a specific list of impeachable offenses during a debate in Independence Hall:

A President ''might lose his capacity'' or embezzle public funds.

''A despicable soul might even succumb to bribes while in office.''

Madison then arrived at what he believed was the worst conduct a President could engage in: the President could ''betray his trust to foreign powers,'' which would be ''fatal to the Republic.'' Those are Madison's words.

When I studied the Constitution and the Federalist Papers in high school, admittedly, I was skeptical of George Washington's warning that ''foreign influence is one of the most baneful foes of republican government.'' It seemed so far-fetched. Who would dare? But the foresight and wisdom of the Founders endure. Madison was right. Washington was right.

There is no greater subversion of our democracy than for powers outside of our borders to determine elections within them. If Americans believe that they don't determine their Senator, their Governor, their President, but, rather, some foreign potentate does, that is the beginning of the end of democracy.

For a foreign country to attempt such a thing on its own is contemptible. For an American President to deliberately solicit such a thing—to blackmail a foreign country into helping him win an election—is unforgivable.

Does this rise to the level of an impeachable offense? Of course it does. Of course it does. The term ''high crimes'' derives from English law. ''Crimes'' were committed between subjects of the monarchy. ''High crimes'' were committed against the Crown itself. The Framers did not design a monarchy; they designed a democracy, a nation where the people were King. High crimes are those committed against the entire people of the United States.

The President sought to cheat the people out of a free and fair election. How could such an offense not be deemed a high crime—a crime against the people? As one constitutional scholar in the House Judiciary hearings testified: ''If this is not impeachable, nothing is.'' I agree.

I judge that President Trump is guilty of the first Article of Impeachment.

The second Article of Impeachment is equally straightforward. Once the President realized he got caught, he tried to cover it up. The President asserted blanket immunity. He categorically defied congressional subpoenas, ordered his aides not to testify, and withheld the production of relevant documents.

Even President Nixon, author of the most infamous Presidential coverup in history, permitted his aides to testify in Congress in the Watergate investigation. The idea that the Trump administration was properly invoking the various rights and privileges of the Presidency is nonsense. At each stage of the House inquiry, the administration conjured up a different bad-faith justification for evading accountability. There is no circumstance under which the administration would have complied.

When I asked the President's counsel twice to name one document or one witness the President provided to Congress, they could not answer. It cannot be that the President, by dint of legal shamelessness, can escape scrutiny entirely.

Once again, the facts are not in dispute, but some have sought to portray the second Article of Impeachment as somehow less important than the first. It is not. The second Article of Impeachment is necessary if Congress is to ever hold a President accountable—again, Democratic or Republican. The consequences of sanctioning such categorical obstruction of Congress will be far-reaching, and they will be irreparable.

I judge that President Trump is guilty of the second Article of Impeachment.

The Senate should convict President Trump, remove him from the Presidency, and disqualify him from holding future office. The guilt of the President on these charges is so obvious that here, again, several Republican Senators admit that the House has proved its case.

So instead of maintaining the President's innocence, the President's counsel ultimately told the Senate that even if the President did what he was accused of, it is not impeachable. This has taken the form of an escalating series of Dershowitzian arguments, including ''Abuse of power is not an impeachable offense''; ''The President

can't be impeached for noncriminal conduct, but he also can't be indicted for criminal conduct''; ''If a President believes his own reelection is essential to the Nation, then a quid pro quo is not corrupt.'' These are the excuses of a child caught in a lie.

Each explanation is more outlandish and desperate than the last. It would be laughable if not for the fact that the cumulative effect of these arguments would render not just this President but all Presidents immune from impeachment and therefore above the law.

Several Members of this Chamber said that even if the President is guilty and even if it is impeachable, the Senate still shouldn't convict the President because there is an election coming up—as if the Framers forgot about elections when they wrote the impeachment clause. If the Founders believed that even when a President is guilty of an impeachable offense, the next election should decide his fate, they never would have included an impeachment clause in the Constitution. That much is obvious.

Alone, each of the defenses advanced by the President's counsel comes close to being preposterous. Together, they are as dangerous to the Republic as this President—a fig leaf so large as to excuse any Presidential misconduct. Unable to defend the President, arguments were found to make him a King.

Let future generations know that only a fraction of the Senate swallowed these fantasies. The rest of us condemn them to the ash heap of history and the derision of first-year law students everywhere.

We are only the third Senate in history to sit as a Court of Impeachment for the President. The task we were given was not easy, but the Framers gave the Senate this responsibility because they could not imagine any other body capable of it. They considered others, but they entrusted it to us, and the Senate failed. The Republican caucus trained its outrage not on the conduct of the President but on the impeachment process in the House, deriding—falsely—an alleged lack of fairness and thoroughness.

The conjured outrage was so blinding that the Republican majority ended up guilty of the very sins it falsely accused the House of committing. It conducted the least fair, least thorough, most rushed impeachment trial in the history of this country.

A simple majority of Senators denied the Senate's right to examine relevant evidence, to call witnesses, to review documents, and to properly try the impeachment of the President, making this the first impeachment trial in history that heard from no witnesses. A simple majority of Senators, in deference to and most likely in fear of the President of their party, perpetrated a great miscarriage of justice in the trial of President Trump. As a result, the verdict of this kangaroo court will be meaningless.

By refusing the facts, by refusing witnesses and documents, the Republican majority has placed a giant asterisk—the asterisk of a sham trial—next to the acquittal of President Trump, written in permanent ink. Acquittal and an unfair trial with this giant asterisk—the asterisk of a sham trial—are worth nothing at all to President Trump or to anybody else.

No doubt, the President will boast he received total exoneration, but we know better. We know this wasn't a trial by any stretch of the definition. And the American people know it, too.

We have heard a lot about the Framers over the past several weeks, about the impeachment clause they forged, the separation of powers they wrought, the conduct they most feared in our chief magistrate. But there is something the Founders considered even more fundamental to our Republic: truth. The Founders had seen and studied societies governed by the iron fist of tyrants and the divine right of Kings, but none by argument, rational thinking, facts, and debate.

Hamilton said the American people would determine ''whether societies of men are really capable or not of establishing good government from reflection and choice, or . . . forever destined to depend on accident and force.'' And what an astonishing thing the Founders did. They placed a bet with long odds. They believed that ''reflection and choice'' would make us capable of self-government; that we wouldn't agree on everything, but at least we could agree on a common baseline of fact and of truth. They wrote a Constitution with the remarkable idea that even the most powerful person in our country was not above the law and could be put on trial. A trial—a place where you seek truth. The faith our Founders placed in us makes the failure of this Senate even more damning.

Our Nation was founded on the idea of truth, but there was no truth here. The Republican majority couldn't let truth into this trial. The Republican majority refused to get the evidence because they were afraid of what it might show.

Our Nation was founded on the idea of truth, but in order to countenance this President, you have to ignore the truth. The Republicans walk through the halls with their heads down. They didn't see the tweet. They can't respond to everything he says. They hope he learned his lesson this time. Yes, maybe, this time, he learned his lesson.

Our Nation was founded on truth, but in order to excuse this President, you have to willfully ignore the truth and indulge in the President's conspiracy theories: Millions of people voted illegally. The deep state is out to get him. Ukraine interfered in our elections. You must attempt to normalize his behavior. Obama did it, too, they falsely claim. The Democrats are just as bad.

Our Nation was founded on the idea of truth, but this President is such a menace—so contemptuous of every virtue, so dishonorable, so dishonest—that you must ignore—indeed, sacrifice—the truth to maintain his favor.

The trial of this President—its failure—reflects the central challenge of this Presidency and, maybe, the central challenge of this time in our democracy. You cannot be on the side of this President and be on the side of truth, and if we are to survive as a nation, we must choose truth because, if the truth doesn't matter, if the news you don't like is fake, if cheating in an election is acceptable, if everyone is as wicked as the wickedest among us, then hope for the future is lost.

The eyes of the Nation are upon this Senate, and what they see will strike doubt in the heart of even the most ardent patriot.

The House managers established that the President abused the great power of his office to try to cheat in an election, and the Senate majority is poised to look the other way.

So I direct my final message not to the House managers, not even to my fellow Senators, but to the American people. My message is simple: Don't lose hope. There is justice in this world and truth and right. I believe that. I wouldn't be in this government if I didn't. Somehow, in ways we can't predict, with God's mysterious hand guiding us, truth and right will prevail.

There have been dark periods in our history, but we always overcome. The Senate's opening prayer yesterday was Amos 5:24: Let justice roll down like water, righteousness like an ever-flowing stream.

The long arc of the moral universe, my fellow Americans, does bend toward justice. America does change for the better but not on its own. It took millions of Americans hundreds of years to make this country what it is today—Americans of every age and color and creed who marched and protested, who stood up and sat in; Americans who died while defending this democracy, this beautiful democracy, in its darkest hours.

On Memorial Day in 1884, Oliver Wendell Holmes told his war-weary audience: ''[W]hether [one] accepts from Fortune her spade, and will look downward and dig, or from Aspiration her axe and cord, and will scale the ice, the one and only success which it is [yours] to command is to bring to [your] work a mighty heart.''

I have confidence that Americans of a different generation—our generation—will bring to our work a mighty heart to fight for what is right, to fight for the truth, and never, never lose faith.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, the U.S. Senate was made for moments like this. The Framers predicted that factional fever might dominate House majorities from time to time. They knew the country would need a firewall

to keep partisan flames from scorching our Republic. So they created the Senate—out of ''necessity,'' James Madison wrote, ''of some stable institution in the government.''

Today, we will fulfill this founding purpose. We will reject this incoherent case that comes nowhere near—nowhere near—justifying the first Presidential removal in history. This partisan impeachment will end today, but I fear the threat to our institutions may not because this episode is one symptom of something much deeper.

In the last 3 years, the opposition to this President has come to revolve around a truly dangerous concept. Leaders in the opposite party increasingly argue that, if our institutions don't produce the outcomes they like, our institutions themselves must be broken. One side has decided that defeat simply means the whole system is broken, that we must literally tear up the rules and write new ones.

Normally, when a party loses an election, it accepts defeat. It reflects and retools—but not this time.

Within months, Secretary Clinton was suggesting her defeat was invalid. She called our President ''illegitimate.'' A former President falsely claimed: ''[President] Trump didn't actually win.'' ''He lost the election,'' a former President said. Members of Congress have used similar rhetoric—a disinformation campaign, weakening confidence in our democracy.

The very real issue of foreign election interference was abused to fuel conspiracy theories. For years, prominent voices said there had been a secret conspiracy between the President's campaign and a foreign government, but when the Mueller investigation and the Senate Intelligence Committee debunked that, the delegitimizing endeavor didn't stop. It didn't stop.

Remember what Chairman SCHIFF said here on the floor? He suggested that if the American people reelect President Trump in November that the election will be presumptively invalid as well. That was Chairman SCHIFF, on this floor, saying, if the American people reelect President Trump this November, the election will be presumptively invalid as well.

So they still don't accept the American voters' last decision, and now they are preparing to reject the voters' next decision if they don't like the outcome—not only the last decision but the next decision. Heads, we win. Tails, you cheated. And who can trust our democracy anyway, they say?

This kind of talk creates more fear and division than our foreign adversaries could achieve in their wildest dreams. As Dr. Hill testified, our adversaries seek to ''divide us against each other, degrade our institutions, and destroy the faith of the American people in our democracy.'' As she noted, if Americans become ''consumed by partisan rancor,'' we can easily do that work for them.

The architects of this impeachment claimed they were defending norms and traditions. In reality, it was an assault on both.

First, the House attacked its own precedents on fairness and due process and by rushing to use the impeachment power as a political weapon of first resort. Then their articles attacked the Office of the Presidency. Then they attacked the Senate and called us ''treacherous.'' Then the far left tried to impugn the Chief Justice for remaining neutral during the trial.

Now, for the final act, the Speaker of the House is trying to steal the Senate's sole power to render a verdict. The Speaker says she will just refuse to accept this acquittal. The Speaker of the House of Representatives says she refuses to accept this acquittal—whatever that means. Perhaps she will tear up the verdict like she tore up the State of the Union Address.

So I would ask my distinguished colleagues across the aisle: Is this really—really—where you want to go? The President isn't the President? An acquittal isn't an acquittal? Attack institutions until they get their way? Even my colleagues who may not agree with this President must see the insanity of this logic. It is like saying you are so worried about a bull in a china shop that you want to bulldoze the china shop to chase it out.

Here is the most troubling part. There is no sign this attack on our institutions will end here. In recent months, Democratic Presidential candidates and Senate leaders have toyed with killing the filibuster so that the Senate could approve radical changes with less deliberation and less persuasion.

Several of our colleagues sent an extraordinary brief to the Supreme Court, threatening political retribution if the Justices did not decide a case the way they wanted.

We have seen proposals to turn the FEC—the regulator of elections and political speech—into a partisan body for the first time ever.

All of these things signal a toxic temptation to stop debating policy within our great American governing traditions and, instead, declare war on the traditions themselves—a war on the traditions themselves.

So, colleagues, with whatever policy differences we may have, we should all agree this is precisely the kind of recklessness the Senate was created to stop. The response to losing one election cannot be to attack the Office of the Presidency. The response to losing several elections cannot be to threaten the electoral college. The response to losing a court case cannot be to threaten the judiciary. The response to losing a vote cannot be to threaten the Senate.

We simply cannot let factional fever break our institutions. It must work the other way, as Madison and Hamilton intended. The institutions must break the fever rather than the other way around.

The Framers built the Senate to keep temporary rage from doing permanent damage to our Republic.

The Framers built the Senate to keep temporary rage from doing permanent damage to our Republic. That is what we will do when we end this precedent-breaking impeachment.

I hope we will look back on this vote and say this was the day the fever began to break.

I hope we will not say this was just the beginning.

Mr. GRASSLEY. Mr. President, as Senators, we cast a lot of votes throughout our tenure in this body. I have cast over 13,200 of them. Each vote is important. A vote to convict or acquit the President of the United States on charges of impeachment is one of the most important votes a Senator could ever cast. Until this week, such a vote has only taken place twice since the founding of our Republic.

The President has been accused of committing ''high Crimes and Misdemeanors'' for requesting that a foreign leader launch an anti-corruption investigation into his potential political opponent and obstructing Congress's subsequent inquiry into his actions. For such conduct, the House of Representatives asks this body to remove the President from office and prohibit him from ever again serving in a position of public trust. As both a judge and juror, this Senator asks first whether the conduct alleged rises to the level of an offense that unquestionably demands removal. If it does, I ask whether the House has proven beyond a reasonable doubt that the conduct actually occurred. The House's case clearly fails on the first of those questions. Accordingly, I will vote not guilty on both articles.

The President's request, taken at face value, is not impeachable conduct. A President is not prohibited by law or any other restriction from engaging the assistance of a foreign ally in an anti-corruption investigation. The House attempts to cure this defect by suggesting that the President's subjective motive—political advantage—is enough to turn an otherwise unimpeachable act into one that demands permanent removal from office. I will not lend my vote in support of such an unnecessary and irreversible break from the Constitution's clear standard for impeachment.

The Senate is an institution of precedent. We are informed and often guided, especially in times like this, by history and the actions of our predecessors. While we look to history, however, we must be mindful of the reality that our choices make history, for better or for worse. What we say and do here necessarily becomes part of the roadmap for future Presidential impeachments and their consideration by this body. These days, that reality can be difficult to keep front and center. Partisan fervor to convict or acquit a President of the United States who has been impeached can lead to cut corners, overheated rhetoric, and rushed

results. We are each bound by the special oath we take while sitting as a Court of Impeachment to ''do impartial justice according to the Constitution and laws.'' But as President pro tempore, I recognize we must also do justice to the Senate as an institution and to the Republic that it serves.

This trial began with a full and fair opportunity to debate and amend the rules that would guide our process. The Senate considered and voted on 11 separate amendments to the resolution, over the span of nearly 13 hours. Consistent with precedent, the Senate adopted a resolution to allow the same length of time for opening arguments and questions as was agreed to unanimously in 1999 during the Clinton impeachment trial. Consistent with precedent, the Senate agreed to table the issue of witnesses and additional evidence until after the conclusion of questions from Members. Consistent with precedent, the Senate engaged in a robust and open debate on the necessity of calling witnesses and pursuing additional evidence. We heard nearly 24 hours of presentation from the House managers, nearly 12 hours of presentation from the President's counsel, and we engaged in 16 hours of questioning to both sides.

Up to today, the Senate has sat as a Court of Impeachment for a combined total of over 70 hours. The Senate did not and does not cut corners, nor can the final vote be credibly called a rushed result or anything less than the product of a fair and judicious process. Future generations, if faced with the toxic turmoil of impeachment, will be better served by the precedent we followed and the example we set in this Chamber. I cannot in good conscience say the same of the articles before us today.

I have said since the beginning of this unfortunate episode that the House's articles don't, on their face, appear to allege anything satisfying the Constitution's clear requirement of ''Treason, Bribery, or other high Crimes and Misdemeanors.'' Yet I took my role as a juror seriously. I committed to hear the evidence in the record and to reflect on the arguments made. After 9 days of presentation and questions and after fully considering the record as presented to the Senate, I am convinced that what the House is asking us to do is not only constitutionally flawed but dangerously unprecedented.

The House's first article, impeaching the President for ''abuse of power,'' rests on objectively legal conduct. Until Congress legislates otherwise, a President is well within his or her legal and constitutional authority, as the head of state, to request that a foreign leader assist with an anti-corruption investigation falling outside of the jurisdiction of our domestic law enforcement authorities. Short of political blowback, there is also nothing in the law that prohibits a President from conditioning his or her official acts upon the agreement by the foreign leader to carry out such an investigation.

In an attempt to cure this fundamental defect in its charge, the House's ''abuse of power'' article sets out an impermissibly flexible and vague standard to justify removing the Chief Executive from office. As the House's trial brief and presentation demonstrated, its theory of the case rests entirely on the President's subjective motive for carrying out objectively permissible conduct. For two reasons, this cannot be sustained.

First, the House would seemingly have the Senate believe that motive by itself is sufficient to prove the illegality of an action. House managers repeatedly described the President's ''corrupt motive'' as grounds for removal from office. But this flips basic concepts in our justice system upside down and represents an unprecedented expansion of the scope of the impeachment authority. With limited exception, motive is offered in court to show that the defendant on trial is the one who most likely committed the illegal act that has been charged. Jealously might compel one neighbor to steal something from the other. But a court doesn't convict the defendant for a crime of jealousy. Second, let's assume, however, that motive could be grounds for impeachment and removal. The House offers no limiting principle or clear standard whatsoever of what motives are permissible. Under such an amorphous standard, future Houses would be empowered to impeach Presidents for taking lawful action for what the House considers to be the wrong reasons.

The House also gives no aid to this institution or to our successors on whether impeachment should rest on proving a single, ''corrupt'' motive or whether mixed motive suffices under their theory for removing a President from office. In its trial brief presented to the Senate, the House asserts that there is ''no credible alternative explanation'' for the President's alleged conduct. This formulation, in the House's own brief, necessarily implies that the presence of a credible alternative explanation for the President's conduct would defeat the ''abuse of power'' theory. But once the Senate heard the President's counsel's presentation, the House changed its tune. Even a credible alternative explanation—or multiple benign motives—shouldn't stop this body from removing the President, so long as one ''corrupt'' motive is in the mix. This apparent shift in trial strategy seems less indicative of a cohesive theory and more reflective of an ''impeach-by-any-means-necessary'' mindset. But reshaping their own standard mid-trial only served to undercut their initial arguments.

Simply asserting at least 63 times, as the House managers did, during the trial that their evidence was ''overwhelming'' and that the President's guilt was proven does not make the underlying allegations accurate or prove an impeachable offense. Even in the midst of questions and answers, after opening arguments had concluded, the House managers started repeating the terms ''bribery'' and ''extortion'' on the floor of the Senate, while neither appears anywhere in the House's articles. These are serious, statutory crimes that have specific elements of proof; they shouldn't be casually used as window dressing to inflame the jury. And the House's attempts to shoehorn those charges into their articles is itself a due process violation.

It is not the Senate's job to read into the House's articles what the House failed or didn't see fit to incorporate itself. No more so is it the job of a judge to read nonexistent provisions into legislation that Congress passes and the President signs. Articles of Impeachment should not be moving targets.

The Senate, accordingly, doesn't need to resolve today the question of whether a criminal violation is necessary for a President's conduct to be impeachable. The text of the Constitution and the Framers' clear intent to limit the scope of the impeachment power counsels in favor of such a brightline rule. And until this episode, no President has been impeached on charges that didn't include a violation of established law. Indeed, the only Presidential impeachments considered by this body included alleged violations of laws, and both resulted in acquittals. But the stated ambiguities surrounding the House's ''abuse of power'' theory, acknowledged even by the House managers, give this Senator reason enough to vote not guilty. If we are to lower the bar of impeachment, we better be clear on where the bar is being set.

The President himself, however, should not conclude from my vote that I think his conduct was above reproach. He alone knows what his motives were. The President has a duty to the American people to root out corruption no matter who is implicated. And running for office does not make one immune from scrutiny. But the President's request was poorly timed and poorly executed, and he should have taken better care to avoid even the mere appearance of impropriety. Had he done so, this impeachment saga might have been avoided altogether. It is clear that many of the President's opponents had plans to impeach him from the day he took office. But the President didn't have to give them this pretense.

The House's second article, impeaching the President for ''obstruction of Congress,'' is equally unprecedented as grounds for removal from office and patently frivolous. It purports that, if the President claims constitutional privileges against Congress, ''threatens'' to litigate, or otherwise fails to immediately give up the goods, he or she must be removed from office.

I know a thing or two about obstruction by the executive branch under

both Democrat and Republican administrations. Congressional oversight—rooting out waste, fraud, and abuse—is central to my role as a Senator representing Iowa taxpayers and has been for 40 years. If there is anything as sure as death and taxes, it is Federal agencies resisting Congress' efforts to look behind the curtain. In the face of obstruction, I don't retreat. I go to work. I use the tools the Constitution provides to this institution. I withhold consent on nominees until I get an honest answer to an oversight request. I work with my colleagues to exercise Congress's power of the purse. And when necessary, I take the administration to court. That is the very core of checks and balances. For years, I fought the Obama administration to obtain documents related to Operation Fast and Furious. I spent years seeking answers and records from the Obama administration during my investigation into Secretary Clinton's mishandling of highly classified information.

Under the House's ''obstruction of Congress'' standard, should President Obama have been impeached for his failure to waive privileges during the course of my and other committees' oversight investigations? We fought President Obama on this for 3 years in the courts, and we still didn't end up with all we asked for. We never heard a peep from the Democrats then. So the hypocrisy here by the House Democrats is on full display.

When I face unprecedented obstruction, I don't agitate to impeach. Rather, my office aggressively negotiates, in good faith, with the executive branch. We discuss the scope of questions and document requests. We discuss the intent of the inquiry to provide context for the requested documents. We build an airtight case and demand cooperation. Negotiations are difficult. They take time.

In the case before us, the House issued a series of requests and subpoenas to individuals within the White House and throughout the administration. But it did so rather early in its inquiry. The House learned of the whistleblower complaint in September, issued subpoenas for records in October, and impeached the President by December, 4 months from opening the inquiry to impeachment for ''obstruction.'' As one who can speak from experience, that is unreasonable and doesn't allow an investigation to appropriately and reasonably run its course. That timeline makes clear to me that the House majority really had one goal in mind: to impeach the President at all costs, no matter what the facts and the law might say. Most importantly, the House failed to exhaust all legal remedies to enforce its requests and subpoenas. When challenged to stand up for the legality of its requests in court, the investigating committee simply retreated. Yet, now, the House accuses the Senate of aiding and abetting a coverup, if we don't finish their job for them. The evidence is ''overwhelming,'' yet the Senate must entertain more witnesses and gather more records that the House chose to forgo.

The House's failure to proceed with their investigation in an orderly, reasonable, good-faith manner has created fundamental flaws in its own case. They skipped basic steps. It is not the job of the Senate to fix the fundamental flaws that directly result from the House's failure to do its job. The House may cower to defend its own authority, but it will not extort and demean this body into cleaning up a mess of the House's own making.

For the myriad ways in which the House failed to exercise the fundamentals of oversight, for the terrible new precedent the House wants us to endorse, and for the risk of future generations taking it up as the standard, I will vote not guilty on the obstruction article.

Now, there has been much discussion and debate about the whistleblower whose complaint framed the House's inquiry in this case. I have worked for and with whistleblowers for more than 30 years. They shed light on waste, fraud, and abuse that ought to be fixed and that the public ought to know about, all frequently at great personal cost. Whistleblowers are patriots, and they are heroes. I believed that in the 1980s. I believe it today. I have sponsored, cosponsored, and otherwise strongly supported numerous laws designed to strengthen whistleblowers protections. I have reminded agencies of the whistleblowers' rights to speak with us and of their protection under the law for doing so. And this is how it works. Of course, it is much better to have firsthand information because it is more reliable. However, whether it is firsthand information or secondhand, it is possible to conduct a thorough investigation of a whistleblower's claims and respect his or her request for confidentiality.

As I said in October of last year, attempts by anyone in government or the media to ''out'' a whistleblower just to sell an article or score a political point is not helpful. It undermines the spirit and purpose of the whistleblower protection laws. I remember very well the rabid, public lashing experienced by the brave whistleblowers who came to me about the Obama administration's Operation Fast and Furious. President Obama's Justice Department worked overtime to discredit them and tarnish their good names in the press, all to protect an operation that it tried to keep hidden from Congress and the American people, and that resulted in the death of an American Border Patrol agent. That was not the treatment those whistleblowers deserved. It is not the treatment any whistleblower deserves, who comes forward in good faith, to report what he or she truly believes is waste, fraud, or abuse.

But whistleblower claims require careful evaluation and follow up, particularly because their initial claim frames your inquiry and forms the basis for further fact finding. The questions you ask and the documents and witnesses you seek all start there. Any investigator worth their salt will tell you that part of the investigative process involving a whistleblower, or indeed any witness, requires the investigator to evaluate that individual's claim and credibility. It is standard procedure. So we talk to the whistleblowers, we meet with them when possible, we look at their documents. We keep them confidential from potential retaliators, but not from the folks who need to speak with them to do their jobs. When whistleblowers bring to us significant cases of bipartisan interest, where we have initially evaluated their claim and credibility and determined that the claim merits additional follow up, we also frequently work closely with the other side to look into those claims.

We have done many bipartisan investigations of whistleblowers' claims over the years and hopefully will continue to do so. We trust the other side to respect the whistleblower's confidence as well and treat the investigation seriously. We have also worked with many witnesses in investigations who want to maintain low profiles and who request additional security measures to come and speak with us. We are flexible on location. We have the Capitol Police. We have SCIFs. We have interviewed witnesses in both classified and unclassified settings. We are willing to work with those witnesses to make them comfortable and to ensure they are in a setting that allows them to share sensitive information with us.

I know the House committees, particularly the oversight committees, have all taken that course themselves. They routinely work with whistleblowers too. Both sides understand how to talk to whistleblowers and how to respect their role and confidentiality. So why no efforts were taken in this case to go through these very basic, bipartisan steps is baffling. I do not under any circumstances support reprisal or efforts to throw stones without facts. But neither do I support efforts to skirt basic fundamental investigative procedures to try and learn those facts. I fear that, to achieve its desired ends, the House weaponized and politicized whistleblowers and whistleblower reporting for purely partisan purposes. I hope that the damage done from all sides to these decades-long efforts will be short lived.

Finally, throughout my time on the Judiciary Committee, including as chairman, I have made it a priority to hold judicial nominees to a standard of restraint and fidelity to the law. As judges in the Court of Impeachment, we too should be mindful of those factors which counsel restraint in this matter.

To start, these articles came to the Senate as the product of a flawed, unprecedented and partisan process. For

71 of the 78 days of the House's expedited impeachment inquiry, the President was not permitted to take part or have agency counsel present. Many of the rights traditionally afforded to the minority party in impeachment proceedings were altered or withheld. And an authorizing vote by the full House didn't occur until 4 weeks after hearings had already begun. When the articles themselves were put to a vote by the full House, just in time for Christmas, the only bipartisanship we saw was in opposition. Moreover, the Iowa caucuses have already occurred. The 2020 Presidential election is well underway. Yet we are being asked to remove the incumbent from the ballot, based on Articles of Impeachment supported by only one party in Congress. Taken together, the Senate should take no part in endorsing the dangerous new precedent this would set for future impeachments.

With more than 28,000 pages of evidence, 17 witnesses, and over 70 hours of open, transparent consideration by the Senate, I believe the American people are more than adequately prepared to decide for themselves the fate of this President in November. This decision belongs to them.

When the Chief Justice spoke up at the start of this trial to defuse some rising emotions, he challenged both sides addressing the Chamber to ''remember where they are.'' We, too, should remember where we are. The U.S. Senate has ably served the American people through trying times. These are trying times. And when this trial adjourns, the cloud of impeachment may not so quickly depart. But if there is any institution best equipped to help bridge the divide and once again achieve our common goals, it is this one.

Let's get back to work for the People.

Mr. LEAHY. Mr. President, the question before us is incredibly serious, but it is also more than a little absurd. We are sitting as a court, exercising the sole power to try impeachments, entrusted to us by the Framers. The President of the United States has been charged with high crimes—a constitutional charge of abuse of power that includes in its text each of the elements of criminal bribery. The President's lawyers have complained all week about the absence of sworn testimony from officials with first-hand knowledge of the President's actions and intent. They claim not to know when the President froze the aid. They falsely claim there is no evidence the President withheld the aid in exchange for his political errand—announcing an investigation into his political rival. And yet whenever the President's counsels have pled ignorance or claimed a lack of evidence, they ask not that we pursue the truth; they ask instead that we look away.

The Senate simply cannot look away. In the 220 years this body has served as a constitutional court of impeachment, we have never refused to look at critical evidence sitting in front of us. We have never raced to a pre-ordained verdict while deliberately avoiding the truth or evaluating plainly critical evidence.

And when I say ''sitting in front of us,'' I mean that literally. Just this morning, we learned that Pat Cipollone, lead counsel for the President, along with Rudy Giuliani and Mick Mulvaney, was part of a meeting where President Trump directed John Bolton to ''ensure [President] Zelensky would meet with Mr. Giuliani.'' A meeting with the President's personal lawyer is not subject to executive privilege; and a meeting with Bolton and Mulvaney is not subject to attorney-client privilege. And this afternoon we received a proffer from Lev Parnas's attorney, claiming that Pamas could provide us with testimony implicating several cabinet officials and members of Congress in the President's scheme. I cannot say whether that is credible, but shouldn't he at least be heard and cross-examined? The Senate cannot turn a blind eye to such directly relevant evidence.

This slipshod process reminds me of another trial. That was the trial of Alice in Wonderland. In that trial, the accusation was read, and the King immediately said to the jury, ''Consider your verdict.'' But even in that case it was acknowledged that ''There's a great deal to come before that,'' and the first witness was called. With apologies to Lewis Carroll, surely the United States Senate can at least match the rigorous criminal procedure of Wonderland?

The oath that each of us swore just two weeks ago requires that we do ''impartial justice.'' Reasonable people can disagree about what that means, but every single time this body has sat as a court—every single time—it has heard from witnesses and weighed sworn testimony. We have never been denied the opportunity to hear from critical witnesses with firsthand information. During the Johnson trial, this court heard live testimony from 41 witnesses, including private counsel for the President and a cabinet secretary. During the Clinton trial, three witnesses were deposed and we considered the grand jury testimony of the President's chief of staff, deputy chief of staff, and White House Counsel—plus the grand jury testimony of the President himself. ''Impartial justice'' cannot mean burying our collective heads in the sand, and preventing relevant, probative testimony from being taken.

Briefly, I also want to address the arguments made against calling witnesses. The President has said that ''Witnesses are up to the House, not up to the Senate.'' But the Senate has never been, and should not be now, limited to the House record. The Senate's constitutional obligation to try impeachments stands independent of the House's obligation. The Constitution does not allow the House's action or inaction to limit the evidence and testimony the Senate can and must consider. The last time we sat as a court we heard from 26 witnesses in total, including 17 who had not testified before the House. Seventeen.

Some have also said that calling witnesses like John Bolton would leave us tangled up in an endless court battle over executive privilege. Not so. The Senate alone has the ''sole Power to try all Impeachments,'' and the Chief Justice reminded us just a few years ago in Zivotofsky v. Clinton that Article III courts cannot hear cases ''where there 'is a textually demonstrable constitutional commitment of the issue to a coordinate political department.'''' And in Walter Nixon v. United States, the Supreme Court expressly ruled out ''[j]udicial involvement in impeachment proceedings, even if only for purposes of judicial review.''

Moreover, and more simply, executive privilege cannot prevent testimony from a private citizen like Bolton who is willing to testify. And, in any event, the President has almost certainly waived any claim to privilege by endlessly tweeting and talking to the media about his conversations with Bolton. The Senate is not helpless. We are the only court with jurisdiction. We can and should resolve these questions.

Let us conduct this trial with the seriousness it deserves—consistent with Senate precedent, the overwhelming expectations of the American people, and how every other trial across the country is conducted every single day.

As Senators, we are here to debate and vote on difficult questions. I understand this may be a difficult question politically—but it is nowhere close to a difficult question under the law or common sense. I do not believe for one second that any of us sought public office to become an accomplice to what can only be described as a cover-up. As the Chief Justice has reminded us, we have the privilege of serving in the world's greatest deliberative body. So let's actually deliberate.

But if we adopt the rule—rejected even in Wonderland—of verdict first, witnesses later, be assured those witnesses will eventually follow. Whether through FOIA, journalism, or book releases, the American people will learn the truth, likely sooner rather than later. Maybe even over the upcoming weekend. What will they think of a Senate that went to such extraordinary lengths—ignoring 220 years of precedent, any notions of fairness or respect for facts, and indeed ignoring our duties to the Constitution itself—to keep the truth buried?

A vote to preclude witnesses will embolden this President to further demean the Congress, this Senate, and the balance of power so carefully established by the Framers in the Constitution. It will ratify the President's shell game of telling the House it should sue to enforce its subpoenas, and then telling courts that the House has no standing to do so. Just today, after a week

of his counsel arguing that the President cannot be impeached for failing to respond to House subpoenas, the Justice Department argued in court that the House can use its impeachment power to enforce its subpoenas. It is up to all 100 of us to put a stop to this nonsense.

I have served in this body for 45 years. It is not often we face votes like this—votes that will leave a significant mark on history, and will shape our constitutional ability to serve as a check against presidents for generations to come. I pray the Senate is worthy of this responsibility, and of this moment. I fear the repercussions if it is not.

I will vote to hear from witnesses. With deep respect, I ask my fellow senators to do the same.

Mr. ENZI. Mr. President, I rise today to speak on the trial of President Trump.

After information from more than a dozen witnesses, over a hundred questions, and days of oral arguments, I believe the House failed to prove its case for the two Articles of Impeachment. The House's story relies on too much speculation, guessing games and repetition. It fails to hold up under scrutiny. The House claims to have proven its case, but insists on more evidence. It was the House's responsibility to ensure it had developed a complete record of the evidence it needed to make its case, and it is not up to the Senate to start the process over again.

There were contradictions in the House's case from the very beginning. The House counted on repetition to make its claims seem true, but often didn't provide the underlying evidence. For example, the House managers relied on telephone records for timing, but speculated on the content of the calls.

The House managers claimed the President wanted to influence an election, but it is difficult to see how the House's rush to bring this case in such a haphazard manner is nothing more than an attempt to influence the 2020 election. The House managers asked the Senate to do additional witnesses in 1 week, which could mean the Senate would essentially have to start the trial all over.

I not only can't call their efforts adequate, I have to say they have been entirely inadequate. Consequently, I did not vote for more witnesses or more evidence and will vote to acquit the President on both counts.

I hope we can learn from everything we do, especially in regard to impeachment. The animosity toward President Trump is unprecedented, and I believe it is the reason we have ended up where we are today. I believe we should give each newly elected President a chance to show what he or she can do. We should provide them the opportunity to prove themselves and demonstrate our faith in our country and its leadership.

We have to give the President an opportunity to lead or even to fail. Unfortunately, President Trump was promised an impeachment from the day he was elected, before he even took his oath of office. On the day of his inauguration, before any official act, there were riots where, and I quote from the New York Times, ''protesters threw rocks and bricks at police officers, set a car on fire and shattered storefront windows.'' I have never seen that kind of conduct before stemming from the result of our democratic process. I hope to never see it again.

The obstruction continued as President Trump's nominations were held up in an unprecedented way. This obstruction kept the new President from getting his key people in place. The few nominations approved had to work with career or hold-over staff from the previous administration. We have read in news articles that some of those staffers not only disliked their new bosses, but they tried to actively undercut their policies. Sometimes they even delayed or used inaction or gave adverse advice. These types of tactics were used to put blame on their boss and on President Trump, and that ultimately hurt our country, too.

Again, almost immediately after the election came the call for investigations, ending with the appointment of Special Counsel Robert Mueller. This investigation went on for almost 2 years. When the Mueller investigation didn't yield the desired results, the President's detractors returned to the continuing cry for an impeachment. The volume and pitch increased even as the 2020 election got closer.

Eventually, the House of Representatives found its latest accusation. Yet, not willing to conduct a thorough impeachment investigation and wanting to reach a foregone conclusion as the election year approached, the House of Representatives hurried its investigation so it would be done before Christmas and the Senate would be forced to address these articles as a new year started. Ironically, after all that rushing and taking shortcuts, the House delayed sending the articles to the Senate until the new year. All of this was just the latest example of the efforts to block President Trump's agenda.

I have now served in two Presidential impeachment trials, one during my first term and this one in my last. I have never underestimated the responsibility of the task at hand or forgotten the oaths I took to uphold the Constitution. There are few duties senators will face as grave as deciding the fate of the President of the United States, but just like 21 years ago, this decision is about country, not politics. These experiences have helped refine my views, which I will now share.

Our Forefathers did well setting the trial in the Senate where it takes a ⅔ majority, currently 67 votes, to convict. They could see the difficulty it would bring to the Nation if impeachment could easily be convicted by a slight majority. Even though it is not the law, I would counsel the House not to impeach without at least a ⅗ vote in their own body, and that should include some number from the minority party.

I have also come to believe that impeachment should be primarily about a criminal activity. Impeachment is inherently undemocratic because it reverses an election, so in election years, the bar for considering impeachment and removal goes even higher. Ultimately, the American people should and will have the final say.

The House of Representatives must also be sure to complete its investigation. It shouldn't send the Senate impeachment charges and then expect the Senate to continue gathering more evidence. The House should subpoena witnesses and deal with defense claims such as privilege, even if that means going through the judicial process rather than placing such a burden on the Senate.

The House cannot simply rely on repetition of possibilities of violations, no matter how many times stated, to make their accusations true. A complete investigation means the investigators don't rush to judgment, don't speculate about the content of calls, and don't rely on repetition of accusations about the content of such calls as a substitute for seeking the truth.

During the initial investigation, witnesses should have already been deposed by both sides before it comes to the Senate. The President's counsel must be allowed to cross-examine all persons deposed by the House. Then, and only then, can any of the witnesses be called to testify at the Senate trial. The House investigation has to be complete.

Finally, I would call for our outside institutions to also think about how they contribute to the well-being of our country. I have often said that conflict sells. It might even increase sales to consumers of news for both parties, but I fear that we are all treating this like a sport, speculating which team will win and which will lose. I suspect that some venomous statements about this process have ended some friendships and strained some families. In the end, if we lose faith in our institutions, our friends and our families, we will all lose.

We desperately need more civility. That is simply being nice to each other. My mom said, ''Bad behavior is inexcusable.'' It violates the Golden Rule as revised by my mom, ''Do what's right. Do your best. Treat others as THEY wish to be treated.'' One of the first movies I saw was the now-ancient animated picture, ''Bambi.'' I am reminded of the little rabbit saying, ''My Mom always says, if you can't say something nice, don't say anything at all!'' I believe we all agree on at least 80 percent of most issues, but the trend seems to be shifting to concentrate on the other 20 percent we don't agree on. That 20 percent causes divisiveness, opposition, venomous harsh words, and anger.

Too often, it feels like our Nation is only becoming more divided, more hostile. I do not believe that our country will ever be able to successfully tackle our looming problems if we continue down this road. As we move forward from this chapter in our Nation's history, I hope that we will focus more on our shared goals that can help our Nation, and not the issues that drive us apart.

Mr. BURR. Mr. President, in my 25 years representing North Carolina in Congress, I have cast thousands of votes, each with its own significance. The ones that weigh most heavily are those that send our men and women in uniform into armed conflict. Those are the votes I spend the most time debating before casting—first and foremost because of the human cost involved but secondly because they hold the power to irrevocably set the course of American history.

With similar consideration, I have taken a sober and deliberate approach to the impeachment proceedings of the last few weeks, conscious of my constitutional responsibility to serve as an impartial juror.

As the investigative body, the House has charged President Trump with abuse of power and obstruction of Congress. The Senate's role is to determine whether the House has proven its case beyond a reasonable doubt and whether, if true, these charges rise to the level of removing the President from office.

After listening to more than 70 hours of arguments from the House managers and the President's counsel, I have concluded that the House has not provided the Senate with a compelling reason for taking the unprecedented and destabilizing step of removing the President from office.

In my role as chairman of the Senate Intelligence Committee, I have visited countries all over the world. What separates the United States from every other nation on Earth is our predictable, peaceful transitions of power. Every 4 years, Americans cast their ballots with the confidence their vote will be counted and the knowledge that both winners and losers will abide by the results.

To remove a U.S. President from office, for the first time in history, on anything less than overwhelming evidence of ''Treason, Bribery, or High Crimes and Misdemeanors'' would effectively overturn the will of the American people.

As the Speaker said last year, ''Impeachment is so divisive to the country that unless there's something so compelling and overwhelming and bipartisan, I don't think we should go down that path, because it divides the country.''

I believe the Speaker was correct in her assessment. A year later, however, the House went down that exact path, choosing to conduct a highly partisan impeachment inquiry, with underwhelming evidence, in a deeply flawed process.

The House had ample opportunity to pursue the answers to its inquiry in order to prove their case beyond a reasonable doubt. They chose not to do so. Instead, investigators followed an arbitrary, self-imposed timeline dictated by political, rather than substantive, concerns.

For example, the House did not attempt to compel certain witnesses to testify because doing so would have meant confronting issues of executive privilege and immunity. They argued navigating executive privilege—something every administration lays claim to—may have caused some level of delays and involved the courts.

At the time, the House justified their decision by claiming the issue was too important, too urgent, for any delays. Yet, after the House voted on the Articles of Impeachment, the Speaker waited 4 full weeks before transmitting the articles to the Senate. Those were weeks the House could have spent furthering its inquiry, had it not rushed the process. Instead, without a hint of irony, House leadership attempted to use that time to pressure the Senate into gathering the very witness testimony their own investigators chose not to pursue.

Additionally, in drafting the Articles of Impeachment, the House stated President Trump committed ''Criminal bribery and honest services wire fraud,'' two crimes that carry penalties under our Criminal Code. Inexplicably, the House chose not to include those alleged criminal misdeeds in the articles sent to the Senate, much less argue them in front of this body.

At every turn, it appears the House made decisions not based on the pursuit of justice but on politics. When due process threatened to slow down the march forward, they took shortcuts. When evidence was too complicated to obtain or an accusation did not carry weight, the House created new, flimsy standards on the fly, hoping public pressure would sway Senate jurors in lieu of facts.

The Founding Fathers who crafted our modern impeachment mechanism predicted this moment, and warned against a solely partisan and politically motivated process.

In Federalist 65, Alexander Hamilton wrote, ''In many cases [impeachment] will connect itself with the pre-existing factions, and will enlist all their animosities, partialities, influence, and interest on one side or on the other; and in such cases there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties, than by the real demonstrations of innocence or guilt.''

Hamilton believed impeachment was a necessary tool but one to be used when the evidence of wrongdoing was so overwhelming, it elevated the process above partiality and partisanship. The House has failed to meet that standard.

The Founders also warned against using impeachment as recourse for management or policy disagreements with the President.

Prior to America's founding, impeachment had been used for centuries in England as a measure to reprimand crown-appointed officials and landed gentry. At the time, it included the vague charge of ''maladministration,'' as well.

During the Constitutional Convention in 1787, George Mason moved to add ''maladministration'' to the U.S. Constitution's list of impeachable offenses, asking: ''Why is the provision restrained to Treason & bribery only? Treason as defined in the Constitution will not reach many great and dangerous offences. Attempts to subvert the Constitution may not be Treason as above defined.''

I submit for this body James Madison's response: ''So vague a term will be equivalent to a tenure during the pleasure of the Senate.''

Madison knew that impeachment based purely on disagreements about governance would turn the U.S. Congress into a parliamentary body, akin to those tumultuous coalitions in Europe, which could recall a President on little more than a whim. To do so would subordinate the Executive to the Congress, rather than delineating its role as a coequal branch of our Federal Government. And with political winds changing as frequently then as they do now, he saw that every President could theoretically be thus impeached on fractious and uncertain terms.

In a functioning democracy, the President cannot serve at ''the pleasure of Senate.'' He must serve at the pleasure of the people.

Gouverneur Morris supported Madison's argument, adding at the time: ''An election every four years will prevent maladministration.''

Thus ''maladministration'' was not made an impeachable offense in America, expressly because we have the recourse of free and fair elections.

I bring up this story for two reasons. First, the Founder's decision signals to me they felt strongly that an impeachable offense must be a crime akin to treason, bribery, or an act equally serious, as defined in the Criminal Code. Second, this story tells me the Founders believed anything that does not meet the Constitutional threshold should be navigated through the electoral process.

By that standard, I do not believe the Articles of Impeachment presented to the Senate rise to the level of removal from office, nor do I believe House managers succeeded in making the case incumbent upon them to prove. Given the weak underpinnings of the articles themselves and the House's partisan process, it would be an error to remove the President mere months before a national election; therefore, I have concluded I will vote to acquit President Donald J. Trump on both articles of impeachment.

Ms. KLOBUCHAR. Mr. President, today is a somber day for our country.

As Senators, we are here as representatives of the American people. It is our duty, as we each swore to do when we took our oath of office, to support and defend the Constitution. We also took an oath, as judges and jurors in this proceeding, to pursue ''impartial justice'' as we consider these articles—including the serious charge that the President of the United States leveraged the power of his office for his own personal gain.

Those are the oaths that the Framers set out for us in the Constitution, to guide the Senate in its oversight responsibilities. The Framers believed that the legislative branch was best positioned to provide a check on the Executive. They envisioned that the separation of powers would allow each branch of government to oversee the other. They also knew, based on their experience living under the British monarchy, that someday a President might corrupt the powers of the office. William Davie from North Carolina was particularly concerned that a President could abuse his office by sparing ''no efforts or means whatever to get himself reelected.''

So the Framers put in place a standard that would cover a range of Presidential misconduct, settling on: ''Treason, Bribery, or other high Crimes and Misdemeanors.'' As Alexander Hamilton explained in Federalist 65, the phrase was intended to cover the ''abuse or violation of some public trust'' and ''injuries done immediately to society itself.'' The Framers designed a remedy for this public harm: removal from public office. So now we are here as judge and jury to try the case and to evaluate whether the President's acts have violated the public trust and injured our democracy.

I am concerned of course that the Senate has decided that we must make this decision without all the facts. With a 51 to 49 vote, the senate blocked the opportunity to call witnesses with firsthand knowledge or to get relevant documents. Fairness means evidence—it means documents, and it means witnesses. In every past impeachment trial in the Senate, in this body's entire 231-year history, there have been witnesses. There is no reason why the Senate should not have called people to testify who have firsthand knowledge of the President's conduct, especially if, as some of my colleagues have suggested, you believe the facts are in dispute.

During the question period, I asked about the impeachment of Judge Porteous in 2010. I joined several of my colleagues in serving on the trial committee. We heard from 26 witnesses in the Senate, 17 of whom were new witnesses who had not previously testified in the House. What possible reason could there be for allowing 26 witnesses in a judicial impeachment trial and zero in a President's trial? How can we consider this a fair trial if we are not even willing to try and get to the truth?

We do not even have to try and find it. John Bolton has firsthand knowledge about central facts in this case, and he said he would comply with a subpoena from the Senate. We also know there are documents that could verify testimony presented in the House, like records of emails sent between administration officials in the days after the July 25 call. We cannot ignore this evidence—we have a constitutional duty to consider it.

And since this trial began, new evidence has continued to emerge. One way or another, the truth is going to come out. I believe that history will remember that the majority in this body did not seek out the evidence and instead decided that the President's alleged corrupt acts did not even require a closer look.

But even without firsthand accounts and without primary documents, the House managers have presented a compelling case. I was particularly interested in the evidence that the managers presented showing that the President's conduct put our national security at risk by jeopardizing our support for Ukraine.

Protecting Ukraine's fragile democracy has been a bipartisan priority. I went to Ukraine with the late Senator John McCain and Senator LINDSEY GRAHAM right after the 2016 election to make clear that the United States would continue to support our ally Ukraine in the face of Russian aggression—that we will stand up for democracy. As the House managers stressed, it is in our national security interest to strengthen Ukraine's democracy. The United States has 60,000 troops stationed in Europe, and thousands of Ukrainians have died fighting Russian forces and their proxies.

Our Nation's support for Ukraine is critically needed. Ukraine is at the frontline of Russian aggression, and since the Russians invaded Crimea in 2014, the United States has provided over $1.5 billion in aid. Russia is watching everything we do. So this summer, as a new Ukrainian President prepared to lead his country and address the war with Russia, it was critical that President Trump showed the world that we stand with Ukraine. Instead, President Trump decided to withhold military security assistance and to deny the Ukrainian President an Oval Office meeting. In doing so, he jeopardized our national security interests and put the Ukrainians in danger. But worse yet, he did so to benefit himself.

Testimony from the 17 current and former officials from the President's administration made it clear that the President leveraged the power of his office to pressure Ukraine to announce an investigation into his political rival. These brave public servants defied the President's order and agreed to testify about what happened despite the risks to their careers. Former U.S. Ambassador to Ukraine Marie Yovanovitch showed particular courage, testifying before the House even as the President disparaged her on Twitter. And I will never forget when Lieutenant Colonel Vindman testified and sent a message to his immigrant father, saying, ''Don't worry Dad, I will be fine for telling the truth.''

As Manager SCHIFF said, in our country ''right matters.'' What is right and wrong under our Constitution does not turn on whether or not you like the President. It is not about whether the disregard for its boundaries furthers policies that you agree or disagree with. It is about whether it remains true that in our country, right matters. Through his actions, the President compromised the security of our ally Ukraine, invited foreign interference in our elections, and undermined the integrity of our democratic process—conduct that I believe the Framers would see as an abuse of power and violation of his oath of office.

The Articles of Impeachment include a second charge: that the President used the powers of his office to prevent Congress from investigating his actions and attempted to place himself above the law.

Unlike any President before him, President Trump categorically refused to comply with any requests from Congress. Even President Nixon directed ''all the president's men'' to comply with congressional requests. Despite that history, President Trump directed every member of his administration not to comply with requests to testify and also directed the executive branch not to release a single document.

The President's refusal to respect the Congress's authority is a direct threat to the separation of powers. The Constitution gives the House the ''sole power of impeachment,'' a tool of last resort to provide a check on the president. By refusing to cooperate, the President is attempting to erase the Congress's constitutional power and to prevent the American people from learning of his misconduct. As we discussed during our questions, the President is asserting that his aides have absolute immunity, a proposition that Federal courts have consistently rejected. Manager Demings warned, ''absolute power corrupts absolutely.''

But this President has taken many steps to place himself above the law. This administration has taken the position that a sitting President cannot be indicted or prosecuted. This President has argued that he is immune from State and criminal investigations. And now we are being asked to say that the Constitution's check on a President's power, as set out by the Framers, cannot prevent a President from abusing his power and covering it up.

During the trial, we have heard this directly from the President's defense. In the words of Alan Dershowitz, ''If a president does something which he believes will help him get elected—in the public interest—that cannot be the kind of quid pro quo that results in impeachment.'' These echo the words of

an impeached President, Richard Nixon, who said: ''When the president does it, that means it is not illegal.'' We cannot accept that conclusion. In this country the President is not King, the law is King. But if the Senate looks past the President's defiance of Congress, we will forever undermine our status as a coequal branch and undermine the rule of law.

So as we consider these Articles of Impeachment, I ask my colleagues to think about the consequences. Our system, designed by the Framers 232 years ago, is one not of absolute power but of power through and by the people. We are, in some ways, faced with the same question the Founders faced when they made the fateful decision to challenge the unchecked power of a King.

When signing the Declaration of Independence, John Hancock signed his name large and said, ''There must be no pulling different ways. We must all hang together.'' Benjamin Franklin replied, ''Yes, we must, indeed, all hang together, or most assuredly we shall all hang separately.''

We have the opportunity today to stand together and say that the Constitution, that these United States, are stronger than our enemies, foreign and domestic, and we, together, are stronger than a President who would corrupt our democracy with an abuse of power and an attempt to deny the rights of a coequal branch of government. We do not have to agree on everything today or tomorrow or a year from now, but surely we can agree on the same basic principles: that this is a government of laws, not of men-and women; that in this country, no one is above the law. If we can agree on that much, then I submit to my colleagues that the choice before us is clear.

Mr. SANDERS. Mr. President, an impeachment trial of a sitting President of the United States is not a matter to be taken lightly. A President should not and must not be impeached because of political disagreements or policy differences. That is what elections are for. Instead, an impeachment trial occurs when a President violates the oath he or she swore to uphold the Constitution of the United States.

Therefore, there are two questions for me to answer as a juror in the impeachment trial of President Donald J. Trump: whether President Trump is guilty of abusing his power as President for his own political gain and whether he obstructed Congress in their investigation of him.

The first Article of Impeachment charges President Trump with abuse of power when he ''solicited the interference of a foreign government, Ukraine, in the 2020 United States Presidential election.'' Based on the evidence I heard during the Senate trial, Trump ''corruptly solicited'' an investigation into former Vice President Joe Biden and his son in order to benefit his own reelection chances. To increase the pressure on Ukraine, President Trump then withheld approximately $400 million in military aid from Ukraine. Finally, according to the charges, even when Trump's scheme to withhold aid was made public, he ''persisted in openly and corruptly urging and soliciting Ukraine to undertake investigations for his personal political benefit.'' So on this first Article of Impeachment, it is my view that the President is clearly guilty.

The second Article of Impeachment asserts that Trump obstructed Congress in its investigation of Trump's abuse of power, stating that Trump ''has directed the unprecedented, categorical, and indiscriminate defiance of subpoenas issued by the House of Representatives pursuant to its 'sole Power of Impeachment.' '' According to the warped logic of the arguments presented by the President's counsel, there are almost no legal bounds to anything a President can do so long as it benefits his own reelection. If a President cannot be investigated criminally or by Congress while in office, then he or she would be effectively above the law. President Trump, who raised absurd legal arguments to hide his actions and obstruct Congress, is clearly guilty here as well.

Now, frankly, while the House of Representatives passed two Articles of Impeachment, President Trump could have been impeached for more than just that.

For example, it seems clear that Donald Trump has violated both the domestic and foreign emoluments clauses. In other words, it appears Trump has used the Federal Government over and over to benefit himself financially.

In 2018 alone, Trump's organization made over $40 million in profit just from his Trump hotel in DC alone. And foreign governments, including lobbying firms connected to the Saudi Arabian Government, have spent hundreds of thousands of dollars at that hotel. That appears to be corruption, pure and simple.

In addition, as we all know, there is significant evidence that Donald Trump committed obstruction of justice with regard to the Robert Mueller investigation by, among other actions, firing the FBI Director, James Comey.

One of the difficulties of dealing with President Trump and his administration is that we cannot trust his words. He is a pathological liar who, according to media research, has lied thousands of times since he was elected. During the trial, I posed a question to the House impeachment managers: Given that the media has documented President Trump's thousands of lies while in office—more than 16,200 as of January 20, 2020—why would we be expected to believe that anything President Trump says has credibility? The answer is that, sadly, we cannot.

Sadly, we now have a President who sees himself as above the law and is either ignorant or indifferent to the Constitution. And we have a President who clearly committed impeachable offenses.

The evidence of Trump's guilt is so overwhelming that the Republican Party, for the first time in the history of Presidential impeachment, obstructed testimony from witnesses—even willing witnesses. It defies basic common sense that in a trial to determine whether the President of the United States is above the law, the Senate would not hear from the people who could speak directly to President Trump's behavior and motive. Leader MITCH MCCONNELL's handling of this trial, unfortunately, was nothing more than a political act.

Yet this impeachment trial is about more than just the charges against President Trump. What this impeachment vote will decide is whether we believe that the President, any President, is above the law.

Last week, Alan Dershowitz, one of President Trump's lawyers, argued to the Senate that a President cannot be impeached for any actions he or she takes that are intended to benefit their own reelection. That is truly an extraordinary and unconstitutional assertion. If Trump is acquitted, I fear the repercussions of this argument would do grave damage to the rule of law in our country.

Imagine what such a precedent would allow an incumbent president to get away with for the sake of their own reelection. Hacking an opponent's email using government resources? Soliciting election interference from China? Under this argument, what would stop a President from withholding infrastructure or education funding to a given State to pressure elected officials into helping the President politically?

Let me be clear: Republicans will set a dangerous and lawless precedent if they vote to acquit President Trump. A Republican acquittal of Donald Trump won't just mean that the current President is above the law; it will give a green light to all future Presidents to disregard the law so long as it benefits their reelection.

It gives me no pleasure to conclude that President Donald Trump is guilty of the offenses laid out in the two Articles of Impeachment. I will vote to convict on both counts. But my greater concern is if Republicans acquit President Trump by undercutting the very rule of law. That will truly be remembered as a sad and dangerous moment in the history of our country.

Mr. TOOMEY. Mr. President, I rise to speak about the House Articles of Impeachment against President Donald Trump.

In 1999, then-Senator Joe Biden of Delaware asked the following question during the impeachment trial of President Bill Clinton: ''[D]o these actions rise to the level of high crimes and misdemeanors necessary to justify the most obviously antidemocratic act the Senate can engage in—overturning an election by convicting the president?'' He answered his own question by voting against removing President Clinton from office.

It is this constitutionally grounded framework—articulated well by Vice President Biden—that guided my review of President Trump's impeachment and, ultimately, my decision to oppose his removal.

House Democrats' impeachment articles allege that President Trump briefly paused aid and withheld a White House meeting with Ukraine's President to pressure Ukraine into investigating two publicly reported corruption matters. The first matter was possible Ukrainian interference in our 2016 election. The second was Vice President Biden's role in firing the controversial Ukrainian prosecutor investigating a company on whose board Vice President Biden's son sat. When House Democrats demanded witnesses and documents concerning the President's conduct, he invoked constitutional rights and resisted their demands.

The President's actions were not ''perfect.'' Some were inappropriate. But the question before the Senate is not whether his actions were perfect; it is whether they constitute impeachable offenses that justify removing a sitting President from office for the first time and forbidding him from seeking office again.

Let's consider the case against President Trump: obstruction of Congress and abuse of power. On obstruction, House Democrats allege the President lacked ''lawful cause or excuse'' to resist their subpoenas. This ignores that his resistance was based on constitutionally grounded legal defenses and immunities that are consistent with longstanding positions taken by administrations of both parties. Instead of negotiating a resolution or litigating in court, House Democrats rushed to impeach. But as House Democrats noted during President Clinton's impeachment, a President's defense of his legal and constitutional rights and responsibilities is not an impeachable offense.

House Democrats separately allege President Trump abused his power by conditioning a White House meeting and the release of aid on Ukraine agreeing to pursue corruption investigations. Their case rests entirely on the faulty claim that the only possible motive for his actions was his personal political gain. In fact, there are also legitimate national interests for seeking investigations into apparent corruption, especially when taxpayer dollars are involved.

Here is what ultimately occurred: President Trump met with Ukraine's President, and the aid was released after a brief pause. These actions happened without Ukraine announcing or conducting investigations. The idea that President Trump committed an impeachable offense by meeting with Ukraine's President at the United Nations in New York instead of Washington, DC is absurd. Moreover, the pause in aid did not hinder Ukraine's ability to combat Russia. In fact, as witnesses in the House impeachment proceedings stated, U.S. policy in support of Ukraine is stronger under President Trump than under President Obama.

Even if House Democrats' presumptions about President Trump's motives are true, additional witnesses in the Senate, beyond the 17 witnesses who testified in the House impeachment proceedings, are unnecessary because the President's actions do not rise to the level of removing him from office, nor do they warrant the societal upheaval that would result from his removal from office and the ballot months before an election. Our country is already far too divided and this would only make matters worse.

As Vice President Biden also stated during President Clinton's impeachment trial, ''[t]here is no question the Constitution sets the bar for impeachment very high.'' A President can only be impeached and removed for ''Treason, Bribery, or other high Crimes and Misdemeanors.'' While there is debate about the precise meaning of ''other high Crimes and Misdemeanors,'' it is clear that impeachable conduct must be comparable to the serious offenses of treason and bribery.

The Constitution sets the impeachment bar so high for good reasons. Removing a President from office and forbidding him from seeking future office overturns the results of the last election and denies Americans the right to vote for him in the next one. The Senate's impeachment power essentially allows 67 Senators to substitute their judgment for the judgment of millions of Americans.

The framework Vice President Biden articulated in 1999 for judging an impeachment was right then, and it is right now. President Trump's conduct does not meet the very high bar required to justify overturning the election, removing him from office, and kicking him off the ballot in an election that has already begun. In November, the American people will decide for themselves whether President Trump should stay in office. In our democratic system, that is the way it should be.

Mr. RUBIO. Mr. President, voting to find the President guilty in the Senate is not simply a finding of wrongdoing; it is a vote to remove a President from office for the first time in the 243-year history of our Republic.

When they decided to include impeachment in the Constitution, the Framers understood how disruptive and traumatic it would be. As Alexander Hamilton warned, impeachment will ''agitate the passions of the whole community.''

This is why they decided to require the support of two-thirds of the Senate to remove a President we serve as a guardrail against partisan impeachment and against removal of a President without broad public support.

Leaders in both parties previously recognized that impeachment must be bipartisan and must enjoy broad public support. In fact, as recently as March of last year, Manager ADAM SCHIFF said there would be ''little to be gained by putting the country through'' the ''wrenching experience'' of a partisan impeachment. Yet, only a few months later, a partisan impeachment is exactly what the House produced. This meant two Articles of Impeachment whose true purpose was not to protect the Nation but, rather, to, as Speaker NANCY PELOSI said, stain the President's record because ''he has been impeached forever'' and ''they can never erase that.''

It now falls upon this Senate to take up what the House produced and faithfully execute our duties under the Constitution of the United States.

Why does impeachment exist?

As manager JERRY NADLER reminded us last week, removal is not a punishment for a crime, nor is removal supposed to be a way to hold Presidents accountable; that is what elections are for. The sole purpose of this extraordinary power to remove the one person entrusted with all of the powers of an entire branch of government is to provide a last-resort remedy to protect the country. That is why Hamilton wrote that in these trials our decisions should be pursuing ''the public good.''

Even before the trial, I announced that, for me, the question would not just be whether the President's actions were wrong but ultimately whether what he did was removable. The two are not the same. It is possible for an offense to meet a standard of impeachment and yet not be in the best interest of the country to remove a President from office.

To answer this question, the first step was to ask whether it would serve the public good to remove the President, even if the managers had proven every allegation they made. It was not difficult to answer that question on the charge of obstruction of congress. The President availed himself of legal defenses and constitutional privileges on the advice of his legal counsel. He has taken a position identical to that of every other administration in the last 50 years. That is not an impeachable offense, much less a removable one.

Negotiations with Congress and enforcement in the courts, not impeachment, should be the front-line recourse when Congress and the President disagree on the separation of powers. But here, the House failed to go to court because, as Manager SCHIFF admitted, they did not want to go through a yearlong exercise to get the information they wanted. Ironically, they now demand that the Senate go through this very long exercise they themselves decided to avoid.

On the first Article of Impeachment, I reject the argument that abuse of power can never constitute grounds for removal unless a crime or a crime-like action is alleged. However, even if the House managers had been able to prove every allegation made in article I,

would it be in the interest of the Nation to remove the President? Answering this question requires a political judgment—one that takes into account both the severity of the wrongdoing they allege and the impact removal would have on the Nation.

I disagree with the House Managers' argument that, if we find the allegations they have made are true, failing to remove the President leaves us with no remedy to constrain this or future Presidents. Congress and the courts have multiple ways by which to constrain the power of the Executive. And ultimately, voters themselves can hold the President accountable in an election, including the one just 9 months from now.

I also considered removal in the context of the bitter divisions and deep polarization our country currently faces. The removal of the President—especially one based on a narrowly voted impeachment, supported by one political party and opposed by another and without broad public support—would, as Manager NADLER warned over two decades ago, ''produce divisiveness and bitterness'' that will threaten our Nation for decades. Can anyone doubt that at least half of the country would view his removal as illegitimate—as nothing short of a coup d'état? It is difficult to conceive of any scheme Putin could undertake that would undermine confidence in our democracy more than removal would.

I also reject the argument that unless we call new witnesses, this is not a fair trial. First, they cannot argue that fairness demands we seek witnesses they did little to pursue. Second, even if new witnesses would testify to the truth of the allegations made, these allegations, even if they had been able to prove them, would not warrant the President's removal.

This high bar I have set is not new for me. In 2014, I rejected calls to pursue impeachment of President Obama, noting that he ''has two years left in his term,'' and, instead of pursuing impeachment, we should use existing tools at our disposal to ''limit the amount of damage he's doing to our economy and our national security.''

Senator PATRICK LEAHY, the President pro tempore emeritus, once warned, ''[A] partisan impeachment cannot command the respect of the American people. It is no more valid than a stolen election.'' His words are more true today than when he said them two decades ago. We should heed his advice.

I will not vote to remove the President because doing so would inflict extraordinary and potentially irreparable damage to our already divided Nation.

Mr. JOHNSON. Mr. President, I am glad that this unfortunate chapter in American history is over. The strength of our Republic lies in the fact that, more often than not, we settle our political differences at the ballot box, not on the streets or battlefield and not through impeachment.

Just last year, Speaker PELOSI said that any impeachment ''would have to be so clearly bipartisan in terms of acceptance of it.'' And in 1998, Representative NADLER, currently a House impeachment manager, said, ''There must never be . . . an impeachment substantially supported by one of our major political parties and largely opposed by the other . . . Such an impeachment would lack legitimacy, would produce divisiveness and bitterness in our politics for years to come . . .''

And yet, that is exactly what House Democrats passed. I truly wish Speaker PELOSI, Chairman NADLER, and their House colleagues would have followed their own advice.

As I listened to the House managers' closing arguments, I jotted down adjectives describing the case they were making: angry, disingenuous, hyperbolic, sanctimonious, distorted—if not outright dishonest—and overstated; they were making a mountain out of a molehill.

Congressman SCHIFF and the other House managers are not stupid. They had to know that their insults and accusations—that the President had threatened to put our heads on a pike, that the Senate was on trial, that we would be part of the coverup if we didn't cave to their demand for witnesses—would not sway Republican Senators. No, they had another goal in mind. They were using impeachment and their public offices to accomplish the very thing they accused President Trump of doing, interfering in the 2020 election.

Impeachment should be reserved for the most serious of offenses where the risk to our democracy simply cannot wait for the voters' next decision. That was not the case here.

Instead, the greater damage to our democracy would be to ratify a highly partisan House impeachment process that lacked due process and sought to impose a duty on the Senate to repair the House's flawed product. Caving to House managers' demands would have set a dangerous precedent and dramatically altered the constitutional order, further weaponizing impeachment and encouraging more of them.

Now that the trial is over, I sincerely hope everyone involved has renewed appreciation for the genius of our Founding Fathers and for the separation of powers they incorporated into the U.S. Constitution. I also hope all the players in this national travesty go forward with a greater sense of humility and recognition of the limits the Constitution places on their respective offices.

I am concerned about the divisiveness and bitterness that Chairman NADLER warned us about. We are a divided nation, and it often seems the lines are only hardening and growing farther apart. But hope lies in finding what binds us together—our love of freedom, our faith, our families.

We serve those who elect us. It is appropriate and necessary to engage in discussion and debate to sway public opinion, but in the end, it is essential that we rely upon, respect, and accept the public's electoral decisions.

In addition, I ask unanimous consent that my November 18, 2019, letter to Congressmen NUNES and JORDAN, and the January 22, 2020, Real Clear Investigations article written by Paul Sperry be printed in the RECORD following my remarks.

The November 18, 2019, letter responds to NUNES' and JORDAN's request to provide information regarding my firsthand knowledge of events regarding Ukraine that were relevant to the impeachment inquiry. The January 22, 2020, article was referenced in my question to the House managers and counsel to the President during the 16-hour question and answer phase of the impeachment trial. Specifically, that question asked: ''Recent reporting described two NSC staff holdovers from the Obama administration attending an 'all hands' meeting of NSC staff held about two weeks into the Trump administration and talking loudly enough to be overheard saying, 'we need to do everything we can to take out the president.' On July 26, 2019, the House Intelligence Committee hired one of those individuals, Sean Misko. The report further describes relationships between Misko, Lt. Col. Vindman, and the alleged whistleblower. Why did your committee hire Sean Misko the day after the phone call between Presidents Trump and Zelensky, and what role has he played throughout your committee's investigation?''

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Hon. JIM JORDAN,
Ranking Member,
Committee on Oversight and Reform.
Hon. DEVIN NUNES,
Ranking Member, Permanent Select Committee on Intelligence.

DEAR CONGRESSMAN JORDAN AND CONGRESSMAN NUNES: I am writing in response to the request of Ranking Members Nunes and Jordan to provide my first-hand information and resulting perspective on events relevant to the House impeachment inquiry of President Trump. It is being written in the middle of that inquiry—after most of the depositions have been given behind closed doors, but before all the public hearings have been held.

I view this impeachment inquiry as a continuation of a concerted, and possibly coordinated, effort to sabotage the Trump administration that probably began in earnest the day after the 2016 presidential election. The latest evidence of this comes with the reporting of a Jan. 30, 2017 tweet (10 days after Trump's inauguration) by one of the whistleblower's attorneys, Mark Zaid: ''#coup has started. First of many steps. #rebellion. #impeachment will follow ultimately.''

But even prior to the 2016 election, the FBI's investigation and exoneration of former Secretary of State Hillary Clinton, combined with Fusion GPS' solicitation and dissemination of the Steele dossier—and the FBI's counterintelligence investigation based on that dossier—laid the groundwork for future sabotage. As a result, my firsthand knowledge and involvement in this

saga began with the revelation that former Secretary of State Hillary Clinton kept a private e-mail server.

I have been chairman of the Senate Committee on Homeland Security and Governmental Affairs (HSGAC) since January 2015. In addition to its homeland security portfolio, the committee also is charged with general oversight of the federal government. Its legislative jurisdiction includes federal records. So when the full extent of Clinton's use of a private server became apparent in March 2015, HSGAC initiated an oversight investigation.

Although many questions remain unanswered from that scandal, investigations resulting from it by a number of committees, reporters and agencies have revealed multiple facts and episodes that are similar to aspects of the latest effort to find grounds for impeachment. In particular, the political bias revealed in the Strzok/Page texts, use of the discredited Steele dossier to initiate and sustain the FBI's counterintelligence investigation and FISA warrants, and leaks to the media that created the false narrative of Trump campaign collusion with Russia all fit a pattern and indicate a game plan that I suspect has been implemented once again. It is from this viewpoint that I report my specific involvement in the events related to Ukraine and the impeachment inquiry.

I also am chairman of the Subcommittee on Europe and Regional Security Cooperation of the Senate Foreign Relations Committee. I have made six separate trips to Ukraine starting in April 2011. Most recently, I led two separate Senate resolutions calling for a strong U.S. and NATO response to Russian military action against Ukraine's navy in the Kerch Strait. I traveled to Ukraine to attend president-elect Volodymyr Zelensky's inauguration held on May 20, and again on Sept. 5 with U.S. Sen. Chris Murphy to meet with Zelensky and other Ukrainian leaders.

Following the Orange Revolution, and even more so after the Maidan protests, the Revolution of Dignity, and Russia's illegal annexation of Crimea and invasion of eastern Ukraine, support for the people of Ukraine has been strong within Congress and in both the Obama and Trump administrations. There was also universal recognition and concern regarding the level of corruption that was endemic throughout Ukraine. In 2015, Congress overwhelmingly authorized $300 million of security assistance to Ukraine, of which $50 million was to be available only for lethal defensive weaponry. The Obama administration never supplied the authorized lethal defensive weaponry, but President Trump did.

Zelensky won a strong mandate—73%—from the Ukrainian public to fight corruption. His inauguration date was set on very short notice, which made attending it a scheduling challenge for members of Congress who wanted to go to show support. As a result, I was the only member of Congress joining the executive branch's inaugural delegation led by Energy Secretary Rick Perry, Special Envoy Kurt Volker, U.S. Ambassador to the European Union Gordon Sondland, and Lt. Col. Alexander Vindman, representing the National Security Council. I arrived the evening before the inauguration and, after attending a country briefing provided by U.S. embassy staff the next morning, May 20, went to the inauguration, a luncheon following the inauguration, and a delegation meeting with Zelensky and his advisers.

The main purpose of my attendance was to demonstrate and express my support and that of the U.S. Congress for Zelensky and the people of Ukraine. In addition, the delegation repeatedly stressed the importance of fulfilling the election mandate to fight corruption, and also discussed the priority of Ukraine obtaining sufficient inventories of gas prior to winter.

Two specific points made during the meetings stand out in my memory as being relevant.

The first occurred during the country briefing. I had just finished making the point that supporting Ukraine was essential because it was ground zero in our geopolitical competition with Russia. I was surprised when Vindman responded to my point. He stated that it was the position of the NSC that our relationship with Ukraine should be kept separate from our geopolitical competition with Russia. My blunt response was, ''How in the world is that even possible?''

I do not know if Vindman accurately stated the NSC's position, whether President Trump shared that viewpoint, or whether Vindman was really just expressing his own view. I raise this point because I believe that a significant number of bureaucrats and staff members within the executive branch have never accepted President Trump as legitimate and resent his unorthodox style and his intrusion onto their ''turf.'' They react by leaking to the press and participating in the ongoing effort to sabotage his policies and, if possible, remove him from office. It is entirely possible that Vindman fits this profile.

Quotes from the transcript of Vindman's opening remarks and his deposition reinforce this point and deserve to be highlighted. Vindman testified that an ''alternative narrative'' pushed by the president's personal attorney, Rudy Giuliani, was ''inconsistent with the consensus views of the'' relevant federal agencies and was ''undermining the consensus policy.''

Vindman's testimony, together with other witnesses' use of similar terms such as ''our policy,'' ''stated policy,'' and ''long-standing policy'' lend further credence to the point I'm making. Whether you agree with President Trump or not, it should be acknowledged that the Constitution vests the power of conducting foreign policy with the duly elected president. American foreign policy is what the president determines it to be, not what the ''consensus'' of unelected foreign policy bureaucrats wants it to be. If any bureaucrats disagree with the president, they should use their powers of persuasion within their legal chain of command to get the president to agree with their viewpoint. In the end, if they are unable to carry out the policy of the president, they should resign. They should not seek to undermine the policy by leaking to people outside their chain of command.

The other noteworthy recollection involves how Perry conveyed the delegation concern over rumors that Zelensky was going to appoint Andriy Bohdan, the lawyer for oligarch Igor Kolomoisky, as his chief of staff. The delegation viewed Bohdan's rumored appointment to be contrary to the goal of fighting corruption and maintaining U.S. support. Without naming ''Bohdan, Secretary Perry made U.S. concerns very clear in his remarks to Zelensky.

Shortly thereafter, ignoring U.S. advice, Zelensky did appoint Bohdan as his chief of staff. This was not viewed as good news, but I gave my advice on how to publicly react in a text to Sondland on May 22: ''*Best case scenario on COS: Right now Zelensky needs someone he can trust. I'm not a fan of lawyers, but they do represent all kinds of people. Maybe this guy is a patriot. He certainly understands the corruption of the oligarchs. Could be the perfect guy to advise Zelensky on how to deal with them. Zelensky knows why he got elected For now, I think we express our concerns, but give Zelensky the benefit of the doubt. Also let him know everyone in the U.S. will be watching VERY closely*.''

At the suggestion of Sondland, the delegation (Perry, Volker, Sondland and me) proposed a meeting with President Trump in the Oval Office. The purpose of the meeting was to brief the president on what we learned at the inauguration, and convey our impressions of Zelensky and the current political climate in Ukraine. The delegation uniformly was impressed with Zelensky, understood the difficult challenges he faced, and went into the meeting hoping to obtain President Trump's strong support for Zelensky and the people of Ukraine. Our specific goals were to obtain a commitment from President Trump to invite Zelensky to meet in the Oval Office, to appoint a U.S. ambassador to Ukraine who would have strong bipartisan support, and to have President Trump publicly voice his support.

Our Oval Office meeting took place on May 23. The four members of the delegation sat lined up in front of President Trump's desk. Because we were all directly facing the president, I do not know who else was in attendance sitting or standing behind us. I can't speak for the others, but I was very surprised by President Trump's reaction to our report and requests.

He expressed strong reservations about supporting Ukraine. He made it crystal clear that he viewed Ukraine as a thoroughly corrupt country both generally and, specifically, regarding rumored meddling in the 2016 election. Volker summed up this attitude in his testimony by quoting the president as saying, ''They are all corrupt. They are all terrible people. . . . I don't want to spend any time with that.'' I do not recall President Trump ever explicitly mentioning the names Burisma or Biden, but it was obvious he was aware of rumors that corrupt actors in Ukraine might have played a part in helping create the false Russia collusion narrative.

Of the four-person delegation, I was the only one who did not work for the president. As a result, I was in a better position to push back on the president's viewpoint and attempt to persuade him to change it. I acknowledged that he was correct regarding endemic corruption. I said that we weren't asking him to support corrupt oligarchs and politicians but to support the Ukrainian people who had given Zelensky a strong mandate to fight corruption. I also made the point that he and Zelensky had much in common. Both were complete outsiders who face strong resistance from entrenched interests both within and outside government. Zelensky would need much help in fulfilling his mandate, and America's support was crucial.

It was obvious that his viewpoint and reservations were strongly held, and that we would have a significant sales job ahead of us getting him to change his mind. I specifically asked him to keep his viewpoint and reservations private and not to express them publicly until he had a chance to meet Zelensky. He agreed to do so, but he also added that he wanted Zelensky to know exactly how he felt about the corruption in Ukraine prior to any future meeting. I used that directive in my Sept. 5 meeting with Zelensky in Ukraine.

One final point regarding the May 23 meeting: I am aware that Sondland has testified that President Trump also directed the delegation to work with Rudy Giuliani. I have no recollection of the president saying that during the meeting. It is entirely possible he did, but because I do not work for the president, if made, that comment simply did not register with me. I also remember Sondland staying behind to talk to the president as the rest of the delegation left the Oval Office.

I continued to meet in my Senate office with representatives from Ukraine: on June

13 with members of the Ukrainian Parliament's Foreign Affairs Committee; on July 11 with Ukraine's ambassador to the U.S. and secretary of Ukraine's National Security and Defense Council, Oleksandr Danyliuk; and again on July 31 with Ukraine's ambassador to the U.S., Valeriy Chaly. At no time during those meetings did anyone from Ukraine raise the issue of the withholding of military aid or express concerns regarding pressure being applied by the president or his administration.

During Congress' August recess, my staff worked with the State Department and others in the administration to plan a trip to Europe during the week of Sept. 2 with Senator Murphy to include Russia, Serbia, Kosovo and Ukraine. On or around Aug. 26, we were informed that our requests for visas into Russia were denied. On either Aug. 28 or 29, I became aware of the fact that $250 million of military aid was being withheld. This news would obviously impact my trip and discussions with Zelensky.

Sondland had texted me on Aug. 26 remarking on the Russian visa denial. I replied on Aug. 30, apologizing for my tardy response and requesting a call to discuss Ukraine. We scheduled a call for sometime between 12:30 p.m. and 1:30 p.m. that same day. I called Sondland and asked what he knew about the hold on military support. I did not memorialize the conversation in any way, and my memory of exactly what Sondland told me is far from perfect. I was hoping that his testimony before the House would help jog my memory, but he seems to have an even fuzzier recollection of that call than I do.

The most salient point of the call involved Sondland describing an arrangement where, if Ukraine did something to demonstrate its serious intention to fight corruption and possibly help determine what involvement operatives in Ukraine might have had during the 2016 U.S. presidential campaign, then Trump would release the hold on military support.

I have stated that I winced when that arrangement was described to me. I felt U.S. support for Ukraine was essential, particularly with Zelensky's new and inexperienced administration facing an aggressive Vladimir Putin. I feared any sign of reduced U.S. support could prompt Putin to demonstrate even more aggression, and because I was convinced Zelensky was sincere in his desire to fight corruption, this was no time to be withholding aid for any reason. It was the time to show maximum strength and resolve.

I next put in a call request for National Security Adviser John Bolton, and spoke with him on Aug. 31. I believe he greed with my position on providing military assistance, and he suggested I speak with both the vice president and president. I requested calls with both, but was not able to schedule a call with Vice President Pence. President Trump called me that same day.

The purpose of the call was to inform President Trump of my upcoming trip to Ukraine and to try to persuade him to authorize me to tell Zelensky that the hold would be lifted on military aid. The president was not prepared to lift the hold, and he was consistent in the reasons he cited. He reminded me how thoroughly corrupt Ukraine was and again conveyed his frustration that Europe doesn't do its fair share of providing military aid. He specifically cited the sort of conversation he would have with Angela Merkel, chancellor of Germany. To paraphrase President Trump: ''Ron, I talk to Angela and ask her, 'Why don't you fund these things,' and she tells me, 'Because we know you will.' We're schmucks. Ron. We're schmucks.''

I acknowledged the corruption in Ukraine, and I did not dispute the fact that Europe could and should provide more military support. But I pointed out that Germany was opposed to providing Ukraine lethal defensive weaponry and simply would not do so. As a result, if we wanted to deter Russia from further aggression, it was up to the U.S. to provide it.

I had two additional counterarguments. First, I wasn't suggesting we support the oligarchs and other corrupt Ukrainians. Our support would be for the courageous Ukrainians who had overthrown Putin's puppet, Viktor Yanukovich, and delivered a remarkable 73% mandate in electing Zelensky to fight corruption. Second, I argued that withholding the support looked horrible politically in that it could be used to bolster the ''Trump is soft on Russia'' mantra.

It was only after he reiterated his reasons for not giving me the authority to tell Zelensky the support would be released that I asked him about whether there was some kind of arrangement where Ukraine would take some action and the hold would be lifted. Without hesitation, President Trump immediately denied such an arrangement existed. As reported in the Wall Street Journal, I quoted the president as saying, ''(Expletive deleted)—No way. I would never do that. Who told you that?'' I have accurately characterized his reaction as adamant, vehement and angry—there was more than one expletive that I have deleted.

Based on his reaction, I felt more than a little guilty even asking him the question, much less telling him I heard it from Sondland. He seemed even more annoyed by that, and asked me, ''Who is that guy''? I interpreted that not as a literal question—the president did know whom Sondland was—but rather as a sign that the president did not know him well. I replied by saying, ''I thought he was your buddy from the real estate business.'' The president replied by saying he barely knew him.

After discussing Ukraine, we talked about other unrelated matters. Finally, the president said he had to go because he had a hurricane to deal with. He wrapped up the conversation referring back to my request to release the hold on military support for Ukraine by saying something like, ''Ron, I understand your position. We're reviewing it now, and you'll probably like my final decision.''

On Tuesday, Sept. 3, I had a short follow up call with Bolton to discuss my upcoming trip to Ukraine, Serbia and Kosovo. I do not recall discussing anything in particular that relates to the current impeachment inquiry on that call.

We arrived in Kyiv on Sept. 4, joining Taylor and Murphy for a full day of meetings on Sept. 5 with embassy staff, members of the new Ukrainian administration, and Zelensky, who was accompanied by some of his top advisers. We also attended the opening proceedings of the Ukrainian High Anti-Corruption Court. The meetings reinforced our belief that Zelensky and his team were serious about fulfilling his mandate—to paraphrase the way he described it in his speech at the High Anti-Corruption Court—to not only fight corruption but to defeat it.

The meeting with Zelensky started with him requesting we dispense with the usual diplomatic opening and get right to the issue on everyone's mind, the hold being placed on military support.

He asked if any of us knew the current status. Because I had just spoken to President Trump, I fielded his question and conveyed the two reasons the president told me for his hold. I explained that I had tried to persuade the president to authorize me to announce the hold was released but that I was unsuccessful.

As much as Zelensky was concerned about losing the military aid, he was even more concerned about the signal that would send. I shared his concern. I suggested that in our public statements we first emphasize the universal support that the U.S. Congress has shown—and will continue to show—for the Ukrainian people. Second, we should minimize the significance of the hold on military aid as simply a timing issue coming a few weeks before the end of our federal fiscal year. Even if President Trump and the deficit hawks within his administration decided not to obligate funding for the current fiscal year, Congress would make sure he had no option in the next fiscal year—which then was only a few weeks away. I also made the point that Murphy was on the Appropriations Committee and could lead the charge on funding.

Murphy made the additional point that one of the most valuable assets Ukraine possesses is bipartisan congressional support. He warned Zelensky not to respond to requests from American political actors or he would risk losing Ukraine's bipartisan support. I did not comment on this issue that Murphy raised.

Instead, I began discussing a possible meeting with President Trump. I viewed a meeting between the two presidents as crucial for overcoming President Trump's reservations and securing full U.S. support. It was at this point that President Trump's May 23 directive came into play.

I prefaced my comment to Zelensky by saying, ''Let me go out on a limb here. Are you or any of your advisers aware of the inaugural delegation's May 23 meeting in the Oval Office following your inauguration?'' No one admitted they were, so I pressed on. ''The reason I bring up that meeting is that I don't want you caught off-guard if President Trump reacts to you the same way he reacted to the delegation's request for support for Ukraine.''

I told the group that President Trump explicitly told the delegation that he wanted to make sure Zelensky knew exactly how he felt about Ukraine before any meeting took place. To repeat Volker's quote of President Trump: ''They are all corrupt. They are all terrible people. . . . I don't want to spend any time with that.'' That was the general attitude toward Ukraine that I felt President Trump directed us to convey. Since I did not have Volker's quote to use at the time, I tried to portray that strongly held attitude and reiterated the reasons President Trump consistently gave me for his reservations regarding Ukraine: endemic corruption and inadequate European support.

I also conveyed the counterarguments I used (unsuccessfully) to persuade the president to lift his hold: (1) We would be supporting the people of Ukraine, not corrupt oligarchs, and (2) withholding military support was not politically smart. Although I recognized how this next point would be problematic, I also suggested any public statement Zelensky could make asking for greater support from Europe would probably be viewed favorably by President Trump.

Finally, I commented on how excellent Zelensky's English was and encouraged him to use English as much as possible in a future meeting with President Trump. With a smile on his face, he replied, ''But Senator Johnson, you don't realize how beautiful my Ukrainian is.'' I jokingly conceded the point by saying I was not able to distinguish his Ukrainian from his Russian.

This was a very open, frank, and supportive discussion. There was no reason for

anyone on either side not to be completely honest or to withhold any concerns. At no time during this meeting—or any other meeting on this trip—was there any mention by Zelensky or any Ukrainian that they were feeling pressure to do anything in return for the military aid, not even after Murphy warned them about getting involved in the 2020 election—which would have been the perfect time to discuss any pressure.

Following the meeting with Zelensky and his advisers, Murphy and I met with the Ukrainian press outside the presidential office building. Our primary message was that we were in Kyiv to demonstrate our strong bipartisan support for the people of Ukraine. We were very encouraged by our meetings with Zelensky and other members of his new government in their commitment to fulfill their electoral mandate to fight and defeat corruption. When the issue of military support was raised, I provided the response I suggested above: I described it as a timing issue at the end of a fiscal year and said that, regardless of what decision President Trump made on the fiscal year 2019 funding, I was confident Congress would restore the funding in fiscal year 2020. In other words: Don't mistake a budget issue for a change in America's strong support for the people of Ukraine.

Congress came back into session on Sept. 9. During a vote early in the week, I approached one of the co-chairs of the Senate Ukraine Caucus, U.S. Sen. Richard Durbin. I briefly described our trip to Ukraine and the concerns Zelensky and his advisers had over the hold on military support. According to press reports, Senator Durbin stated that was the first time he was made aware of the hold. I went on to describe how I tried to minimize the impact of that hold by assuring Ukrainians that Congress could restore the funding in fiscal year 2020. I encouraged Durbin, as I had encouraged Murphy, to use his membership on the Senate Appropriations Committee to restore the funding.

Also according to a press report, leading up to a Sept. 12 defense appropriation committee markup, Durbin offered an amendment to restore funding. On Sept. 11, the administration announced that the hold had been lifted. I think it is important to note the hold was lifted only 14 days after its existence became publicly known, and 55 days after the hold apparently had been placed.

On Friday, Oct. 4, I saw news reports of text messages that Volker had supplied the House of Representatives as part of his testimony. The texts discussed a possible press release that Zelensky might issue to help persuade President Trump to offer an Oval Office meeting. Up to that point, I had publicly disclosed only the first part of my Aug. 31 phone call with President Trump, where I lobbied him to release the military aid and he provided his consistent reasons for not doing so: corruption and inadequate European support.

Earlier in the week, I had given a phone interview with Siobhan Hughes of the Wall Street Journal regarding my involvement with Ukraine. With the disclosure of the Volker texts, I felt it was important to go on the record with the next part of my Aug. 31 call with President Trump: his denial. I had not previously disclosed this because I could not precisely recall what Sondland had told me on Aug. 30, and what I had conveyed to President Trump, regarding action Ukraine would take before military aid would be released. To the best of my recollection, the action described by Sondland on Aug. 30 involved a demonstration that the new Ukrainian government was serious about fighting corruption—something like the appointment of a prosecutor general with high integrity.

I called Hughes Friday morning, Oct. 4, to update my interview. It was a relatively lengthy interview, almost 30 minutes, as I attempted to put a rather complex set of events into context. Toward the tail end of that interview, Hughes said, ''It almost sounds like, the way you see it, Gordon was kind of freelancing and he took it upon himself to do something that the president hadn't exactly blessed, as you see it.'' I replied, ''That's a possibility, but I don't know that. Let's face it: The president can't have his fingers in everything. He can't be stage-managing everything, so you have members of his administration trying to create good policy.''

To my knowledge, most members of the administration and Congress dealing with the issues involving Ukraine disagreed with President Trump's attitude and approach toward Ukraine. Many who had the opportunity and ability to influence the president attempted to change his mind. I see nothing wrong with U.S. officials working with Ukrainian officials to demonstrate Ukraine's commitment to reform in order to change President Trump's attitude and gain his support.

Nor is it wrong for administration staff to use their powers of persuasion within their chain of command to influence policy. What is wrong is for people who work for, and at the pleasure of, the president to believe they set U.S. foreign policy instead of the duly elected president doing so. It also would be wrong for those individuals to step outside their chain of command—or established whistleblower procedures—to undermine the president's policy. If those working for the president don't feel they can implement the president's policies in good conscience, they should follow Gen. James Mattis' example and resign. If they choose to do so, they can then take their disagreements to the public. That would be the proper and high-integrity course of action.

This impeachment effort has done a great deal of damage to our democracy. The release of transcripts of discussions between the president of the United States and another world leader sets a terrible precedent that will deter and limit candid conversations between the president and world leaders from now on. The weakening of executive privilege will also limit the extent to which presidential advisers will feel comfortable providing ''out of the box'' and other frank counsel in the future.

In my role as chairman of the Senate's primary oversight committee, I strongly believe in and support whistleblower protections. But in that role, I am also aware that not all whistleblowers are created equal. Not every whistleblower has purely altruistic motives. Some have personal axes to grind against a superior or co-workers. Others might have a political ax to grind.

The Intelligence Community Inspector General acknowledges the whistleblower in this instance exhibits some measure of ''an arguable political bias.'' The whistleblower's selection of attorney Mark Zaid lends credence to the ICIG's assessment, given Zaid's tweet that mentions coup, rebellion and impeachment only 10 days after Trump's inauguration.

If the whistleblower's intention was to improve and solidify the relationship between the U.S. and Ukraine, he or she failed miserably. Instead, the result has been to publicize and highlight the president's deeply held reservations toward Ukraine that the whistleblower felt were so damaging to our relationship with Ukraine and to U.S. national security. The dispute over policy was being resolved between the two branches of government before the whistleblower complaint was made public. All the complaint has accomplished is to fuel the House's impeachment desire (which I believe was the real motivation), and damage our democracy as described above.

America faces enormous challenges at home and abroad. My oversight efforts have persuaded me there has been a concerted effort, probably beginning the day after the November 2016 election, to sabotage and undermine President Trump and his administration. President Trump, his supporters, and the American public have a legitimate and understandable desire to know if wrongdoing occurred directed toward influencing the 2016 election or sabotaging Trump's administration. The American public also has a right to know if no wrongdoing occurred. The sooner we get answers to the many unanswered questions, the sooner we can attempt to heal our severely divided nation and turn our attention to the many daunting challenges America faces.

Sincerely,

RON JOHNSON,
United States Senator.

[From RealClearInvestigations, Jan. 22, 2019]

WHISTLEBLOWER WAS OVERHEARD IN '17 DISCUSSING WITH ALLY HOW TO REMOVE TRUMP

(By Paul Sperry)

Barely two weeks after Donald Trump took office, Eric Ciaramella—the CIA analyst whose name was recently linked in a tweet by the president and mentioned by lawmakers as the anonymous ''whistleblower'' who touched off Trump's impeachment—was overheard in the White House discussing with another staffer how to remove the newly elected president from office, according to former colleagues.

Sources told RealClearInvestigations the staffer with whom Ciaramella was speaking was Sean Misko. Both were Obama administration holdovers working in the Trump White House on foreign policy and national security issues. And both expressed anger over Trump's new ''America First'' foreign policy, a sea change from President Obama's approach to international affairs.

''Just days after he was sworn in they were already talking about trying to get rid of him,'' said a White House colleague who overheard their conversation.

''They weren't just bent on subverting his agenda,'' the former official added. ''They were plotting to actually have him removed from office.''

Misko left the White House last summer to join House impeachment manager Adam Schiff's committee, where sources say he offered ''guidance'' to the whistleblower, who has been officially identified only as an intelligence officer in a complaint against Trump filed under whistleblower laws. Misko then helped run the impeachment inquiry based on that complaint as a top investigator for congressional Democrats.

The probe culminated in Trump's impeachment last month on a party-line vote in the House of Representatives. Schiff and other House Democrats last week delivered the articles of impeachment to the Senate, and are now pressing the case for his removal during the trial, which began Tuesday.

The coordination between the official believed to be the whistleblower and a key Democratic staffer, details of which are disclosed here for the first time, undercuts the narrative that impeachment developed spontaneously out of the ''patriotism'' of an ''apolitical civil servant.''

Two former co-workers said they overheard Ciaramella and Misko, dose friends and Democrats held over from the Obama administration, discussing how to ''take out,'' or remove, the new president from office within days of Trump's inauguration. These co-workers said the president's controversial Ukraine phone call in July 2019 provided the

pretext they and their Democratic allies had been looking for.

''They didn't like his policies,'' another former White House official said. ''They had a political vendetta against him from Day One.''

Their efforts were part of a larger pattern of coordination to build a case for impeachment, involving Democratic leaders as well as anti-Trump figures both inside and outside of government.

All unnamed sources for this article spoke only on condition that they not be further identified or described. Although strong evidence points to Ciaramella as the government employee who lodged the whistleblower complaint, he has not been officially identified as such. As a result, this article makes a distinction between public information released about the unnamed whistleblower/CIA analyst and specific information about Ciaramella.

Democrats based their impeachment case on the whistleblower complaint, which alleges that President Trump sought to help his re-election campaign by demanding that Ukraine's leader investigate former Vice President Joe Biden and his son Hunter in exchange for military aid. Yet Schiff, who heads the House Intelligence Committee, and other Democrats have insisted on keeping the identity of the whistleblower secret, citing concern for his safety, while arguing that his testimony no longer matters because other witnesses and documents have ''corroborated'' what he alleged in his complaint about the Ukraine call.

Republicans have fought unsuccessfully to call him as a witness, arguing that his motivations and associations are relevant—and that the president has the same due-process right to confront his accuser as any other American.

The whistleblower's candor is also being called into question. It turns out that the CIA operative failed to report his contacts with Schiff's office to the intelligence community's inspector general who fielded his whistleblower complaint. He withheld the information both in interviews with the inspector general, Michael Atkinson, and in writing, according to impeachment committee investigators. The whistleblower form he filled out required him to disclose whether he had ''contacted other entities''—including ''members of Congress.'' But he left that section blank on the disclosure form he signed.

The investigators say that details about how the whistleblower consulted with Schiff's staff and perhaps misled Atkinson about those interactions are contained in the transcript of a closed-door briefing Atkinson gave to the House Intelligence Committee last October. However, Schiff has sealed the transcript from public view. It is the only impeachment witness transcript out of 18 that he has not released.

Schiff has classified the document ''Secret,'' preventing Republicans who attended the Atkinson briefing from quoting from it. Even impeachment investigators cannot view it outside a highly secured room, known as a ''SCIF,'' in the basement of the Capitol. Members must first get permission from Schiff, and they are forbidden from bringing phones into the SCIF or from taking notes from the document.

While the identity of the whistleblower remains unconfirmed, at least officially, Trump recently retweeted a message naming Ciaramella, while Republican Sen. Rand Paul and Rep. Louie Gohmert of the House Judiciary Committee have publicly demanded that Ciaramella testify about his role in the whistleblower complaint.

During last year's closed-door House depositions of impeachment witnesses, Ciaramella's name was invoked in heated discussions about the whistleblower, as RealClearInvestigations first reported Oct. 30, and has appeared in at least one testimony transcript. Congressional Republicans complain Schiff and his staff counsel have redacted his name from other documents.

Lawyers representing the whistleblower have neither confirmed nor denied that Ciaramella is their client. In November, after Donald Trump Jr. named Ciaramella and cited RCI's story in a series of tweets, however, they sent a ''cease and desist'' letter to the White House demanding Trump and his ''surrogates'' stop ''attacking'' him. And just as the whistleblower complaint was made public in September, Ciaramella's social media postings and profiles were scrubbed from the Internet.

'TAKE OUT' THE PRESIDENT

An Obama holdover and registered Democrat, Ciaramella in early 2017 expressed hostility toward the newly elected president during White House meetings, his co-workers said in interviews with RealClearInvestigations. They added that Ciaramella sought to have Trump removed from office long before the filing of the whistleblower complaint.

At the time, the CIA operative worked on loan to the White House as a top Ukrainian analyst in the National Security Council, where he had previously served as an adviser on Ukraine to Vice President Biden. The whistleblower complaint cites Biden, alleging that Trump demanded Ukraine's newly elected leader investigate him and his son ''to help the president's 2020 reelection bid.''

Two NSC co-workers told RCI that they overheard Ciaramella and Misko—who was also working at the NSC as an analyst—making anti-Trump remarks to each other while attending a staff-wide NSC meeting called by then-National Security Adviser Michael Flynn, where they sat together in the south auditorium of the Eisenhower Executive Office Building, part of the White House complex.

The ''all hands'' meeting, held about two weeks into the new administration, was attended by hundreds of NSC employees.

''They were popping off about how they were going to remove Trump from office. No joke,'' said one ex-colleague, who spoke on the condition of anonymity to discuss sensitive matters.

A military staffer detailed to the NSC, who was seated directly in front of Ciaramella and Misko during the meeting, confirmed hearing them talk about toppling Trump during their private conversation, which the source said lasted about one minute. The crowd was preparing to get up to leave the room at the time.

''After Flynn briefed [the staff] about what 'America first' foreign policy means, Ciaramella turned to Misko and commented, 'We need to take him out,' '' the staffer recalled. ''And Misko replied, 'Yeah, we need to do everything we can to take out the president.' ''

Added the military detailee, who spoke on condition of anonymity: ''By 'taking him out,' they meant removing him from office by any means necessary. They were triggered by Trump's and Flynn's vision for the world. This was the first 'all hands' [staff meeting] where they got to see Trump's national security team, and they were huffing and puffing throughout the briefing any time Flynn said something they didn't like about 'America First.' ''

He said he also overheard Ciaramella telling Misko, referring to Trump, 'We can't let him enact this foreign policy.' ''

Alarmed by their conversation, the military staffer immediately reported what he heard to his superiors.

''It was so shocking that they were so blatant and outspoken about their opinion,'' he recalled. ''They weren't shouting it, but they didn't seem to feel the need to hide it.''

The co-workers didn't think much more about the incident.

''We just thought they were wacky,'' the first source said. ''Little did we know.''

Neither Ciaramella nor Misko could be reached for comment.

A CIA alumnus, Misko had previously assisted Biden's top national security aide Jake Sullivan. Former NSC staffers said Misko was Ciaramella's closest and most trusted ally in the Trump White House.

''Eric and Sean were very tight and spent nearly two years together at the NSC,'' said a former supervisor who requested anonymity. ''Both of them were paranoid about Trump.''

''They were thick as thieves,'' added the first NSC source. ''They sat next to each other and complained about Trump all the time. They were buddies. They weren't just colleagues. They were buddies outside the White House.''

The February 2017 incident wasn't the only time the pair exhibited open hostility toward the president. During the following months, both were accused internally of leaking negative information about Trump to the media.

But Trump's controversial call to the new president of Ukraine this past summer—in which he asked the foreign leader for help with domestic investigations involving the Obama administration, including Biden—gave them the opening they were looking for.

A mutual ally in the National Security Council who was one of the White House officials authorized to listen in on Trump's July 25 conversation with Ukraine's president leaked it to Ciaramella the next day—July 26—according to former NSC co-workers and congressional sources. The friend, Ukraine-born Lt. Col. Alexander Vindman, held Ciaramella's old position at the NSC as director for Ukraine. Although Ciaramella had left the White House to return to the CIA in mid-2017, the two officials continued to collaborate through interagency meetings.

Vindman leaked what he'd heard to Ciaramella by phone that afternoon, the sources said. In their conversation, which lasted a few minutes, he described Trump's call as ''crazy,'' and speculated he had ''committed a criminal act.'' Neither reviewed the transcript of the call before the White House released it months later.

NSC co-workers said that Vindman, like Ciaramella, openly expressed his disdain for Trump whose foreign policy was often at odds with the recommendations of ''the interagency''—a network of agency working groups comprised of intelligence bureaucrats, experts and diplomats who regularly meet to craft and coordinate policy positions inside the federal government.

Before he was detailed to the White House, Vindman served in the U.S. Army, where he once received a reprimand from a superior officer for badmouthing and ridiculing America in front of Russian soldiers his unit was training with during a joint 2012 exercise in Germany.

His commanding officer, Army Lt. Col. Jim Hickman, complained that Vindman, then a major, ''was apologetic of American culture, laughed about Americans not being educated or worldly and really talked up Obama and globalism to the point of [It being] uncomfortable.''

''Vindman was a partisan Democrat at least as far back as 2012,'' Hickman, now retired, asserted. ''Do not let the uniform fool you. He is a political activist in uniform.''

Attempts to reach Vindman through his lawyer were unsuccessful.

July 26 was also the day that Schiff hired Misko to head up the investigation of Trump, congressional employment records show. Misko, in turn, secretly huddled with the whistleblower prior to filing his Aug. 12 complaint, according to multiple congressional sources, and shared what he told him with Schiff, who initially denied the contacts before press accounts revealed them.

Schiff's office has also denied helping the whistleblower prepare his complaint, while rejecting a Republican subpoena for documents relating to it. But Capitol Hill veterans and federal whistleblower experts are suspicious of that account.

Fred Fleitz, who fielded a number of whistleblower complaints from the intelligence community as a former senior House Intelligence Committee staff member, said it was obvious that the CIA analyst had received coaching in writing the nine-page whistleblower report.

''From my experience, such an extremely polished whistleblowing complaint is unheard of,'' Fleitz, also a former CIA analyst, said. ''He appears to have collaborated in drafting his complaint with partisan House Intelligence Committee members and staff.''

Fleitz, who recently served as chief of staff to former National Security Adviser John Bolton, said the complaint appears to have been tailored to buttress an impeachment charge of soliciting the ''interference'' of a foreign government in the election.

And the whistleblower's unsupported allegation became the foundation for Democrats' first article of impeachment against the president. It even adopts the language used by the CIA analyst in his complaint, which Fleitz said reads more like ''a political document.''

OUTSIDE HELP

After providing the outlines of his complaint to Schiff's staff, the CIA analyst was referred to whistleblower attorney Andrew Bakaj by a mutual friend ''who is an attorney and expert in national security law,'' according to the Washington Post, which did not identify the go-between.

A former CIA officer, Bakaj had worked with Ciaramella at the spy agency. They have even more in common: like the 33-year-old Ciaramella, the 37-year-old Bakaj is a Connecticut native who has spent time in Ukraine. He's also contributed money to Biden's presidential campaign and once worked for former Sen. Hillary Clinton. He's also briefed the intelligence panel Schiff chairs.

Bakaj brought in another whistleblower lawyer, Mark Zaid, to help on the case. A Democratic donor and a politically active anti-Trump advocate, Zaid was willing to help represent the CIA analyst. On Jan. 30, 2017, around the same time former colleagues say they overheard Ciaramella and Misko conspiring to take Trump out, Zaid tweeted that a ''coup has started'' and that ''impeachment will follow ultimately.''

Neither Bakaj nor Zaid responded to requests for an interview.

It's not clear who the mutual friend and national security attorney was whom the analyst turned to for additional help after meeting with Schiff's staff. But people familiar with the matter say that former Justice Department national security lawyer David Laufman involved himself early on in the whistleblower case.

Also a former CIA officer, Laufman was promoted by the Obama administration to run counterintelligence cases, including the high-profile investigations of Clinton's classified emails and the Trump campaign's alleged ties to Russia. Laufman sat in on Clinton's July 2016 FBI interview. He also signed off on the wiretapping of a Trump campaign adviser, which the Department of Justice inspector general determined was conducted under false pretenses involving doctored emails, suppression of exculpatory evidence, and other malfeasance. Laufman's office was implicated in a report detailing the surveillance misconduct.

Laufman could not be reached for comment.

Laufman and Zaid are old friends who have worked together on legal matters in the past. ''I would not hesitate to join forces with him on complicated cases,'' Zaid said of Laufman in a recommendation posted on his LinkedIn page.

Laufman recently defended Zaid on Twitter after Trump blasted Zaid for advocating a ''coup'' against him. ''These attacks on Mark Zaid's patriotism are baseless, irresponsible and dangerous,'' Laufman tweeted. ''Mark is an ardent advocate for his clients.''

After the CIA analyst was coached on how to file a complaint under Intelligence Community whistleblower protections, he was steered to another Obama holdover—former Justice Department attorney-turned-inspector general Michael Atkinson, who facilitated the processing of his complaint, despite numerous red flags raised by career Justice Department lawyers who reviewed it.

The department's Office of Legal Counsel that the complaint involved ''foreign diplomacy,'' not intelligence, contained ''hearsay'' evidence based on ''secondhand'' information, and did not meet the definition of an ''urgent concern'' that needed to be reported to Congress. Still, Atkinson worked closely with Schiff to pressure the White House to make the complaint public.

Fleitz said cloaking the CIA analyst in the whistleblower statute provided him cover from public scrutiny. By making him anonymous, he was able to hide his background and motives. Filing the complaint with the IC inspector general, moreover, gave him added protections against reprisals, while letting him disclose classified information. If he had filed directly with Congress, it could not have made the complaint public due to classified concerns. But a complaint referred by the IG to Congress gave it more latitude over what it could make public.

OMITTED CONTACTS WITH SCHIFF

The whistleblower complaint was publicly released Sept. 26 after a barrage of letters and a subpoena from Schiff, along with a flood of leaks to the media.

However, the whistleblower did not disclose to Atkinson that he had briefed Schiff's office about his complaint before filing it with the inspector general. He was required on forms to list any other agencies he had contacted, including Congress. But he omitted those contacts and other material facts from his disclosure. He also appears to have misled Atkinson on Aug. 12, when on a separate form he stated: ''I reserve the option to exercise my legal right to contact the committees directly,'' when he had already contacted Schiff's committee weeks prior to making the statement.

''The whistleblower made statements to the inspector general under the penalty of perjury that were not true or correct,'' said Rep. John Ratcliffe, a Republican member of the House Intelligence Committee.

Ratcliffe said Atkinson appeared unconcerned after the New York Times revealed in early October that Schiff's office had privately consulted with the CIA analyst before he filed his complaint, contradicting Schiff's initial denials. Ratcliffe told RealClearInvestigations that in closed door testimony on Oct. 4, ''I asked IG Atkinson about his 'investigation' into the contacts between Schiff's staff and the person who later became the whistleblower.'' But he said Atkinson claimed that he had not investigated them because he had only just learned about them in the media.

On Oct. 8, after more media reports revealed the whistle blower and Schiff's staff had concealed their contacts with each other, the whistleblower called Atkinson's office to try to explain why he made false statements in writing and verbally, transgressions that could be punishable with a fine of up to $10,000, imprisonment for up five years, or both, according to the federal form he signed under penalty of perjury.

In his clarification to the inspector general, the whistleblower acknowledged for the first time reaching out to Schiff's staff before filing the complaint, according to an investigative report filed later that month by Atkinson.

''The whistleblower got caught,'' Ratcliffe said. ''The whistleblower made false statements. The whistleblower got caught with Chairman Schiff.''

He says the truth about what happened is documented on pages 53–73 of the transcript of Atkinson's eight-hour testimony. Except that Schiff refuses to release it.

''The transcript is classified 'Secret' so Schiff can prevent you from seeing the answers to my questions,'' Ratcliffe told RCI.

Atkinson replaced Charles McCullough as the intelligence community's IG. McCullough is now a partner in the same law firm for which Bakaj and Zaid work. McCullough formerly reported directly to Obama's National Intelligence Director, James Clapper, one of Trump's biggest critics in the intelligence community and a regular agitator for his impeachment on CNN.

HIDDEN POLITICAL AGENDA?

Atkinson also repeatedly refused to answer Senate Intelligence Committee questions about the political bias of the whistleblower. Republican members of the panel called his Sept. 26 testimony ''evasive.'' Senate investigators say they are seeking all records generated from Atkinson's ''preliminary review'' of the whistleblower's complaint, including evidence and ''indicia'' of the whistleblower's ''political bias'' in favor of Biden.

Republicans point out that Atkinson was the top national security lawyer in the Obama Justice Department when it was investigating Trump campaign aides and Trump himself in 2016 and 2017. He worked closely with Laufman, the department's former counterintelligence section chief who's now aligned with the whistleblower's attorneys. Also, Atkinson served as senior counsel to Mary McCord, the senior Justice official appointed by Obama who helped oversee the FBI's Russia ''collusion'' probe, and who personally pressured the White House to fire then National Security Adviser Flynn. She and Atkinson worked together on the Russia case. Closing the circle tighter, McCord was Laufman's boss at Justice.

As it happens, all three are now involved in the whistleblower case or the impeachment process.

After leaving the department, McCord joined the stable of attorneys Democrats recruited last year to help impeach Trump. She is listed as a top outside counsel for the House in key legal battles tied to impeachment, including trying to convince federal judges to unblock White House witnesses and documents.

''Michael Atkinson is a key anti-Trump conspirator who played a central role in transforming the 'whistleblower' complaint into the current impeachment proceedings,'' said Bill Marshall, a senior investigator for Judicial Watch, the conservative government watchdog group that is suing the Justice Department for Atkinson's internal communications regarding impeachment.

Atkinson's office declined comment.

ANOTHER 'CO-CONSPIRATOR'?

During closed-door depositions taken in the impeachment inquiry, Ciaramella's confederate Misko was observed handing notes to Schiff's lead counsel for the impeachment inquiry, Daniel Goldman—another Obama Justice attorney and a major Democratic donor—as he asked questions of Trump administration witnesses, officials with direct knowledge of the proceedings told RealClear Investigations. Misko also was observed sitting on the dais behind Democratic members during last month's publicly broadcast joint impeachment committee hearings.

Another Schiff recruit believed to part of the clandestine political operation against Trump is Abby Grace, who also worked closely with Ciaramella at the NSC, both before and after Trump was elected. During the Obama administration, Grace was an assistant to Obama national security aide Ben Rhodes.

Last February, Schiff recruited this other White House friend of the whistleblower to work as an impeachment investigator. Grace is listed alongside Sean Misko as senior staffers in the House Intelligence Committee's ''The Trump-Ukraine Impeachment Inquiry Report'' published last month.

Republican Rep. Louie Gohmert, who served on one of the House impeachment panels, singled out Grace and Misko as Ciaramella's ''co-conspirators'' in a recent House floor speech arguing for their testimony.''These people are at the heart of everything about this whole Ukrainian hoax,'' Gohmert said. ''We need to be able to talk to these people.''

A Schiff spokesman dismissed Gohmert's allegation.

''These allegations about our dedicated and professional staff members are patently false and are based off false smears from a congressional staffer with a personal vendetta from a previous job,'' said Patrick Boland, spokesman for the House Intelligence Committee. ''It's shocking that members of Congress would repeat them and other false conspiracy theories, rather than focusing on the facts of the president's misconduct.''

Boland declined to identify ''the congressional staffer with a personal vendetta.''

Schiff has maintained in open hearings and interviews that he did not personally speak with the whistleblower and still does not even know his identity, which would mean the intelligence panel's senior staff has withheld his name from their chairman for almost six months. Still, he insists that he knows that the CIA analyst has ''acted in good faith,'' as well as ''appropriately and lawfully.''

The CIA declined comment. But the agency reportedly has taken security measures to protect the analyst, who has continued to work on issues relating to Russia and Ukraine and participate in interagency meetings.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent to have a statement I prepared concerning the impeachment trial be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATOR RICHARD BLUMENTHAL—STATEMENT FOR THE RECORD

IMPEACHMENT TRIAL OF DONALD JOHN TRUMP

The case for impeachment presented by the House managers is overwhelming. Donald Trump held taxpayer-funded military aid hostage from an ally at war while demanding a personal, political favor. He tried to cheat, got caught, and worked hard to cover it up. His actions constitute a shocking, corrupt abuse of power and betrayal of his oath of office. Just as a sheriff cannot delay responding to calls for help until the callers endorse his re-election, the President is not entitled to withhold vital military assistance from a foreign ally until they announce an investigation to smear his political rival. The proof shows precisely the type of corruption that the Framers sought to prevent through the Impeachment Clause, including foreign interference in our election.

Two further points are significant. First, the President is guilty of the crime of bribery, which is specifically listed in the Constitution as a grounds for impeachment.[1] Second, the President's unprecedented campaign to obstruct the impeachment inquiry compels us to conclude that the evidence he is hiding would provide further proof of his guilt.

I. *The President committed the federal crime of bribery*

There is no question—based on the original meaning of the Constitution, the elaboration of the impeachment clause in the Federalist Papers, historical precedent, and common sense—that the President need not violate a provision of any criminal code in order to warrant removal from office.[2] The President's argument that he must violate ''established law'' to be impeached would be laughable if its implications were not so dangerous.

But there is no reasonable doubt that the President *has* violated established law. The Constitution specifically states that a President who commits bribery should be impeached.[3] The evidence before us establishes that President Trump has committed the crime of bribery as it existed at the time of the framers and now. Therefore, even using the President's own standard, the Senate has no choice but to convict.

The evidence shows that the President solicited interference in the 2020 election for his own benefit by pressuring Ukraine to announce an investigation into his political opponents in return for releasing nearly $400 million in taxpayer-funded military aid Ukraine desperately needed, as well as a meeting with President Zelensky at the White House. He sought, indeed demanded, a personal benefit in exchange for an official act.

Section 201 of Title 18 of the U.S. Code criminalizes ''bribery of public officials and witnesses.'' A public official is guilty under this section when they seek ''anything of value'' in exchange for any ''official act'' and do so with corrupt intent. The code even specifies that punishment for this crime may include disqualification ''from holding any office of honor, trust, or profit under the United States.''[4]

A. The requested investigations constitute ''things of value''

The investigations that President Trump requested into his political enemies and to undermine claims that Russia illegally helped him get elected are clearly ''things of value.''[5] By all accounts, he was obsessed with them. According to multiple reports, Trump cared more about the investigations than he did about defending Ukraine from Russia. Ambassador Gordon Sondland even testified that the President ''doesn't give a s**t'' about Ukraine and only cares about ''big stuff'' like the announcement of the investigations he requested.[6]

Courts have consistently applied a broad and subjective understanding of the phrase ''anything of value.'' All that matters is that the bribe had value in the eyes of the official accepting or soliciting it. The Second Circuit has determined that ''anything of value'' includes stock that, although it had no commercial value at the time, had subjective value to the defendant.[7] Similarly, the Sixth Circuit held that loans that a public official would have been otherwise unable to receive were ''thing[s] of value.''[8] The Eighth Circuit has similarly emphasized that ''anything of value'' should be interpreted ''broadly'' and ''subjectively.''[9]

Further, the ''thing'' need not be tangible, and it need not be immediately available. For example, the Sixth Circuit held that a promise of ''future employment'' is a thing of value.[10] A D.C. district court found that travel and entrance to various events that Tyson Foods gave to the Agriculture Secretary's girlfriend counted as things of value, despite the fact that they were not given directly to the Secretary and were not tangible items.[11] Campaign contributions also count as ''things of value,'' even contributions made to Super PACs, despite Supreme Court precedent holding that independent expenditures do not have sufficient value to candidates to justify placing limits on them.[12] In other contexts, the courts have interpreted the phrase ''thing of value'' to encompass a tip about the whereabouts of a witness,[13] information about government informants,[14] and the testimony of a government witness.[15] The courts have roundly rejected the proposition that this phrase ''covers only things having commercial value;'' intangibles, including information itself, can certainly be a ''thing of value.''[16] The relevant inquiry is not the objective value of the thing offered, but ''whether the donee placed any value on the intangible gifts.''[17]

Here, President Trump clearly placed value on the announcement of investigations. During the July 25 phone call, Trump stated that it was ''very important'' that Zelensky open these investigations.[18] Over several months, Trump and Rudy Giuliani had made repeated public statements about how important they thought the investigations were. Since at least April, 2017, President Trump has been publicly promoting the debunked conspiracy theory that a California-based cybersecurity company, CrowdStrike, worked with the Democratic National Committee to fabricate evidence that Russia interfered in the 2016 election and hide the proof of their actions in Ukraine. Rudy Giuliani, the President's personal attorney, has been promoting a conspiracy theory about Joe and Hunter Biden since at least January, 2019.[19] Days after Zelensky was elected, Trump stated on air that he would be directing Attorney General Barr to ''look into'' the CrowdStrike conspiracy theory.[20] In May, 2019, Rudy Giuliani, with the knowledge and consent of President Trump and acting on the President's behalf,[21] planned to travel to Ukraine to ask for these investigations, which he said would be ''very, very helpful to my client, and may turn out to be helpful to my government.''[22] On July 10, top Ukrainian officials met with Energy Secretary Perry, John Bolton, Kurt Volker, and Ambassador Sondland at the White House where Sondland made clear that an official White House visit with Zelensky was important to the President.[23]

Further, the electoral value to President Trump of investigations that would smear Joe Biden and the DNC while casting doubt on Russian interference in the 2016 election is obvious. President Trump was elected in a shocking and narrow victory after polls showed him trailing his opponent until officials announced that she was under investigation.[24] The announcement of an investigation into his political opponents clearly had tremendous value to him personally.

The President's counsels claim that Trump demanded investigations of his political rival as part of a perfectly legitimate anti-

corruption effort. In short, they want the Senate to leave our common sense at the door. At least four undisputed facts decisively disprove the claim that President Trump's actions were motivated by the public interest and not his own.

First, as one of my colleagues has put it,[25] it ''strains credulity'' to suggest that President Trump was pursuing the public interest and not his political benefit when the only corruption investigations he could think to demand involved his political opponents.[26] President Trump's counsel have claimed throughout this trial that the President believed corruption in Ukraine to be widespread. Yet he did not suggest a single investigation or programmatic action other than the two investigations of his political rivals.

Second, President Trump did not actually want Ukraine to conduct the investigations he only wanted Zelensky to *announce* them.[27] If he really did want to get to the bottom of a legitimate concern, a *public announcement* of the investigation would not further that interest. Any good investigator knows that, if you actually want to get to the truth, you do not prematurely tip off the subject of the investigation. Indeed, federal prosecutors are instructed to not even ''respond to questions about the existence of an ongoing investigation or comment on its nature or progress before charges are publicly filed.''[28] While announcing the investigations could only harm any legitimate law enforcement objective, it would obviously benefit President Trump's political goals.

Third, President Trump never sought the investigations through ordinary, official channels, or if he did seek them the Justice Department declined to pursue them. If President Trump wanted bona fide investigations, as opposed to politically-motivated announcements, he would have charged the Department of Justice with conducting an official investigation, and the Department would have sought cooperation from the Ukrainian government through the U.S.-Ukraine Mutual Legal Assistance Treaty (MLAT). Legitimate requests made pursuant to an MLAT allow DOJ to take testimony, obtain records, locate persons, serve documents, transfer persons into U.S. custody, execute searches and seizures, freeze assets, and engage in any other lawful actions that the state can take.[29] Trump claims that he just wanted to root out criminality and corruption. But he did not ask domestic U.S. law enforcement to look into the matter; to date, there is no criminal investigation of Hunter Biden. Instead, Trump tried to coerce a *foreign government* to investigate a U.S. citizen without any formal coordination with the U.S. Justice Department. In other words, there was not a sufficient basis for a bona fide, domestic criminal investigation, so Trump had to go elsewhere. The fact that Trump asked a foreign government to investigate Hunter Biden is not evidence that he cared about corruption; it is evidence that he was engaged in corruption.

In fact, Ukraine ultimately resisted President Trump's requests for investigations precisely because the President had failed to rely on the usual channels used to prevent political interference with law enforcement.[30] If Trump actually wanted a legitimate investigation, and wanted to ensure that DOJ would be privy to relevant information, he would have sought formal assistance through the U.S.-Ukraine MLAT. DOJ has confirmed that he did no such thing.[31] Instead, President Trump acted through his personal attorney, Rudy Giuliani, a man who made clear that he was duty bound to pursue his boss's personal interests and not those of the public.[32] The only reasonable explanation for the President's decision to completely bypass the Justice Department is that he knew that his conspiracy theories could not withstand scrutiny and he set out to circumvent law enforcement officials. They were solely intended to serve Trump's personal, political interests.

Finally, as the American Intelligence Community has unanimously concluded,[33] the CrowdStrike conspiracy is not supported by any evidence. It is difficult to fathom how propagating Russian-generated propaganda that implicates American public figures and companies is in the national interest of the United States. Even if his motives were mixed, and he cared peripherally about corruption generally, his predominant goal was to smear a political opponent.

B. The release of the hold on military aid and the promised White House visit constitute ''official acts''

The two acts the President agreed to perform—releasing the hold on military aid and setting up an official White House meeting with Zelensky—constitute ''official acts.'' The bribery statute defines ''official act'' broadly to include ''any decision or action on any question, matter, cause, suit, proceeding or controversy, which may at any time be pending, or which may by law be brought before any public official, in such official's official capacity, or in such official's place of trust or profit.''[34] Military assistance and an official White House visit were within his control only because of his tenure in elective office. In fact, both receiving foreign dignitaries and providing foreign assistance are in the President's official, constitutional job description.[35]

Actions authorized by statute, such as the ones President Trump took here, are particularly clear examples of official acts.[36] Congress has specifically authorized, and circumscribed, the President's ability to award military assistance to foreign countries. This process has been codified since the early 1960s, and there is an enormous federal apparatus devoted to evaluating the needs of foreign nations, how those needs intersect with legitimate U.S. foreign policy interests, and how to award foreign aid in line with those interests.[37] Further, when the President placed a hold on the aid, he was acting on behalf of the United States, not in his personal capacity. It defies reason to argue that the President's decision to award, or fail to execute, a foreign aid determination is not an ''official act'' under the bribery statute.

Similarly, an official White House meeting is an ''official act'' because the President is specifically ''assigned by law''[38]—in both the Constitution and numerous statutes—with receiving representatives from foreign governments.[39] Indeed, the authority to receive ambassadors and recognize foreign governments is considered so core to the office of the President that the Supreme Court has struck down statutes that interfere with it.[40]

C. The President corruptly sought a quid pro quo

President Trump made an agreement with the specific intent to be influenced in his decision whether to lift the hold on the military aid and to host a White House meeting. In *United States v. Sun-Diamond Growers of California*, the Supreme Court held that a bribe made or solicited ''in return for'' an official act entails an exchange, a *quid pro quo*.[41] In a seminal case, the D.C. Circuit reasoned that the term ''corruptly'' means that the official act would not be undertaken (or undertaken in a particular way) without the thing of value.[42]

Department of Justice guidance on the issue, citing the standard jury instructions that numerous courts have upheld, indicates that ''corruptly'' denotes ''nothing more than . . . acting 'with bad purpose' to achieve some unlawful end.''[43] The guidance further explains that, ordinarily, this ''bad purpose'' is ''a hope or expectation of either financial gain or other benefit to one's self, or some aid or profit or benefit to another.''[44] In other words, the intent merely to be influenced in the way prohibited by the bribery statute itself is sufficient to find that the defendant acted ''corruptly.''

Further, the Supreme Court unanimously held in 2016 that the *quid pro quo* demand ''need not be explicit,'' the official ''need not specify the means that he will use to perform his end of the bargain,'' nor must the official actually intend to follow through for a prosecutor to succeed in making her case that the defendant is guilty of bribery.[45] In a Seventh Circuit case, the court made clear that the context of a communication can be determinative: evidence of a *quid pro quo* can emerge from ''the often clandestine atmosphere of corruption with a simple wink and a nod if the surrounding circumstances make it clear that something of value will pass to a public official if he takes improper, or withholds proper, action.''[46] While the defendant in that case never made an explicit offer and never relayed a specific amount of money, the court nonetheless upheld his conviction for bribery.[47]

Trump's actions clearly qualify as a *quid pro quo*. Less than a month prior to this phone call, President Trump had put a hold on hundreds of millions of dollars in military aid to Ukraine and had previously set in motion, but not committed to, an official White House visit with Ukraine's new president, Volodomyr Zelensky. When Trump and Zelensky spoke on July 25, Trump set the terms of the conversation by making clear that he felt Ukraine owed him for America's generosity. And as soon as Zelensky mentioned that Ukraine was interested in receiving American anti-tank missiles, the President immediately stated that he would like Zelensky to ''do us a favor though,'' and explicitly asked Zelensky to investigate the Biden conspiracy theory and alleged Ukrainian interference in the 2016 election. As soon as Zelensky appeared to agree to open the requested investigations, Trump almost immediately assured the Ukrainian President that ''whenever you would like to come to the White House, feel free to call.''[48] Text messages sent by Special Envoy Volker indicate that it had also been made clear to the Ukrainians prior to the call that the official White House visit was also conditioned upon Zelensky complying with Trump's request for these investigations.[49] Gordon Sondland, the American ambassador to the EU, testified that the President's proposal to lift the hold in exchange for the investigations was as clear as ''two plus two equals four.''[50] Trump's acting Chief of Staff, Mick Mulvaney, confessed during a press conference that there was a *quid pro quo* exchange and suggested that the public should just ''get over it.''[51]

The implication of Trump's message to Zelensky on the July 25 phone call is that Trump would not lift the hold or have the White House meeting unless Zelensky opened the requested investigations. The obvious political value to the President of opening these investigations constitutes sufficient grounds for a jury to determine that he had a ''bad motive'' in making this request. Trump is guilty of *quid pro quo* bribery.

D. Trump's defenses are not persuasive

Trump attempts to absolve his behavior by arguing that his subjective intent is irrelevant to whether he committed an impeachable offense, that there is no *quid pro quo* because Ukraine never announced the infamous investigations, and that, even if he did commit a *quid pro quo*, he cannot be impeached

because the articles do not accuse him of bribery. Even setting aside that these defenses ignore the fact that Trump *still* has not held a White House meeting with Zelensky, these arguments are wholly unpersuasive in their own right.

1. Trump's subjective intent is eminently relevant

Trump claims that his subjective intent is irrelevant; that he cannot be impeached based on the reasons for which he sought the investigations.[52] This argument is specious for at least three reasons. First, the two offenses that the Constitution explicitly mentions as requiring removal from office—treason and bribery—hinge on the *subjective reasons* that the official acted. If the Commander-in-Chief orders the military to take certain actions with the purpose of benefiting an enemy of the United States, then the President has committed treason, even if the President generally has the authority to command the armed forces. If the President vetoes a law because someone has paid him a large bribe, then he has committed bribery, even if the President generally has the authority to veto laws. When we are prohibited from scrutinizing the President's reasons for acting, we lose the ability to protect our democracy from tyrants and traitors.

Second, the President maintains that he needs to have violated ''established law'' in order to be impeached.[53] Using the President's own standard, then, in evaluating whether he violated the federal bribery statute, we must evaluate whether he acted with corrupt intent. If the President wants to be scrutinized using the standards of the federal criminal code, then he must concede that his subjective intent is at issue.

Third, even if Trump had *other* reasons for releasing the aid, it was *still a crime* for him to even *ask* for the investigations. Section 201(c) of Title 18 prohibits public officials from demanding anything of value ''for or because of any official act.''[54] The courts have been clear that even if the official act ''might have been done without'' the bribe, the defendant is still guilty under section 201(c).[55] Even if Trump never actually intended to maintain a hold on the aid, even if he decided to release the aid for entirely legitimate reasons, the fact that he requested the investigations as a ''favor''[56]—because of how generous the President was in agreeing to conduct a White House visit or lifting the hold on the military aid—means that the President committed a crime.

Even if a legislator would have voted for a piece of legislation because he thinks it is in the public interest, he still commits bribery if he takes a payoff to do it. As the courts have made clear, an illegal bribe under this section may take the form of ''a reward [. . .] *for a past act that has already been taken.*''[57] Thus, the fact that the President *continued* to ask for the investigations after the hold was finally released[58] does not absolve him; it further incriminates him.

2. Trump completed his crime the moment he solicited the bribe

It is undisputed that the President, either directly or indirectly, demanded investigations into Joe Biden and a conspiracy theory involving the Democratic National Committee. The President's only response is that he cannot be liable because he did not receive what he requested. Under federal law, however, a corrupt official need not receive the benefit he demands or perform the official acts in question; ''it is enough that the official agreed to do so.''[59] It is the solicitation of a private benefit *in and of itself* that constitutes the crime.[60] All a prosecutor would have to demonstrate is that the President made an agreement or offer to exchange official acts for a thing of value.

We know from the memorandum of the July 25 phone call, from Volker and Sondland's texts, and from Sondland's testimony that Trump had agreed to lift the hold and conduct the White House meeting in exchange for the investigations.[61] We also know that there is additional evidence out there that speaks to the President's communications—both directly and through his agents—with Ukraine regarding his illegal scheme. We know, at the very least, of the existence of diplomatic cables from the Ukrainian embassy about the hold on the military assistance and communications with the State Department about the hold.[62] The head of the agency that placed the hold on the military assistance has refused to respond to a lawful subpoena, under the instruction of the White House.[63] As discussed below, when a party fails to produce or obstructs access to relevant evidence, that failure ''gives rise to an inference that the evidence is unfavorable to him.''[64] In this case, although the evidence already presented proves the crime of bribery, the Senate should infer that the evidence that the executive branch has hidden about these communications would provide further evidence that Trump agreed to this illicit exchange.

3. Senators must convict if they conclude that the President committed the crime of bribery, whether or not the term 'bribery' appears in the articles

The first article of impeachment accuses the President of ''corruptly solicit[ing]'' the public announcement of investigations that were in his ''personal political benefit,'' in exchange for ''two official acts.''[65] In response to questions from Senators, Trump's counsel has argued that because the article did not explicitly refer to the crime of bribery, Trump was provided inadequate notice. This argument is absurd.

Trump has received plenty of notice that he stands accused of bribery. Trump's actions, as described in the article, clearly align with the elements of the federal crime of bribery: he solicited a thing of value in exchange for official acts and did so with corrupt intent.[66] Further, the House Judiciary Committee report adeptly explained why the President is guilty of bribery under the criminal code.[67] Lawmakers have been discussing the President's misdeeds in terms of bribery for months now.[68] His lack of a defense is due not to lack of notice but to lack of facts.

The historical record confirms the common sense notion that the articles need not name specific crimes. In 1974, the House Judiciary Committee approved three articles of impeachment against President Nixon, none of which referenced any provisions of any criminal code.[69] Many of my colleagues were presented with similarly drafted articles of impeachment against Judge Porteous in 2010. In that instance, the House adopted four articles of impeachment, none of which explicitly referenced the criminal code.[70] The first article described conduct that amounts to bribery—claiming that Judge Porteous ''solicited and accepted things of value'' in exchange for ruling in favor of a particular party—but never used the term ''bribe'' or mentioned the federal bribery statute.[71] The Senate unanimously convicted Judge Porteous on this article and voted to forever disqualify him from holding office.[72] No one seriously entertained the notice argument then, and there is no good reason to do so now. This bad faith defense is a red herring, and we must not let it distract us from the issue before us: the President's crimes.

Trump's claim that he cannot be removed for a crime unless the crime is specifically mentioned in the articles of impeachment—coupled with his claim that there must be proof of a crime—is simply untenable. By Trump's flawed logic, if he had been impeached for ''shooting someone on Fifth Avenue,'' he could not be removed for ''murder'' unless that word was specifically included in the articles. We have not been called to sit in judgment of the House of Representatives' diction; we sit in judgment of the President's actions—carefully and precisely described in the articles of impeachment as a clear-cut case of bribery.

II. *The President's unprecedented campaign to obstruct access to relevant evidence compels us to conclude that the evidence is against him.*

The House of Representatives has made a very strong case that the President's refusal to engage in any way with their investigation is unlawful and constitutionally offensive. But make no mistake—this conflict is more than a dispute between the branches of government. The House of Representatives and a number of Senators have raised the alarm bells not for our own sake, but because when the President hides from Congress, he hides from the American people. The separation of powers does not exist to benefit members of Congress; it exists to curb the excesses of enormously powerful government officials.

Throughout this entire ordeal—from the moment the call transcript was improperly placed on a classified server[73] to the time when Trump threatened to unlawfully assert executive privilege over any testimony requested by the Senate[74]—the President has sought to keep his illegal scheme secret from the very people the scheme was designed to manipulate: the American electorate.

Indeed, the withholding of aid itself was concealed, unlike with other similar pauses or suspensions of military assistance.

The law and historical precedent are clear—when the President stifles Congress' investigative authority, whether during an impeachment inquiry or when Congress is exercising its broader mandate to investigate the executive branch, he has exceeded the bounds of the law. Because Trump has flouted congressional inquiry in such a brazen and unhinged manner, this violation alone requires us to vote to remove him from office.

Separately, this egregious campaign of obfuscation strengthens the case against the President for abuse of power. As a matter of law, when a party to a case improperly withholds relevant evidence, courts can instruct juries to make an adverse inference—to assume that the evidence would be unfavorable to the withholding party. In this case, Trump has withheld *every single piece of evidence that the House requested.* The facts before us confirm the underlying logic of the adverse inference rule—that when a party hides something, it is because they have something to hide. Applying that rule here, the already overwhelming evidence against Trump becomes an avalanche.

A. Trump's obstruction requires us to infer that all the evidence is against him, which only strengthens the case for removal for abuse of power

It is a long-established rule of law that when a party ''has relevant evidence within his control which he fails to produce, that failure gives rise to an inference that the evidence is unfavorable to him.''[75] Importantly, this rule applies even in the absence of a subpoena and, in fact, ''the willingness of a party to defy a subpoena in order to suppress the evidence *strengthens the force of the preexisting inference*,'' because in that scenario ''it can hardly be doubted he has some good reason for his insistence on suppression.''[76] Indeed, the courts have recognized that the adverse inference rule is essential to

prevent intransigent parties from abusing ''costly and time consuming'' court proceedings to subvert their legal duty to produce relevant evidence.[77] The Supreme Court has specifically applied this rule against a party who selectively provided weak evidence and failed to allow those persons with the most relevant knowledge to testify, noting that ''the production of weak evidence when strong is available can lead only to the conclusion that the strong would have been adverse.''[78] As the Court put it, in circumstances like this, ''silence then becomes evidence of the most convincing character.''[79]

We know that the Trump administration has relevant evidence that it refuses to produce. As an initial matter, the President has failed to comply with a single request from the House of Representatives, and, following the President's orders, the White House, the office of the Vice President, the Office of Management and Budget, the State Department, the Department of Defense, and the Department of Energy refused to produce a single document in response to 71 specific requests issued by the House of Representatives.[80]

But we also know of specific pieces of evidence that go to the heart of the House's case and that Trump is concealing. Mark Sandy testified that in August, OMB produced a memorandum recommending that the President's hold on the Ukraine military assistance be released.[81] William Taylor testified that on August 29, he sent a first person cable to Secretary Pompeo, relaying his concerns about the ''folly I saw in withholding military aid to Ukraine at a time when hostilities were still active in the east and when Russia was watching closely to gauge the level of American support for the Ukrainian Government.''[82] Mr. Taylor also testified that he had exchanged WhatsApp messages with Ambassadors Volker and Sondland as well as with Ukrainian officials. The White House has refused to release any of these documents. We therefore must infer that they demonstrate that there was no interagency process to review the best use of the funds—that this rationale was pre-textual.

The White House maintains that Ukraine was not even aware of the hold on the military assistance until after it was reported on publicly. But we have testimony to the contrary—testimony that includes reference to specific documents that the President is withholding. Laura K. Cooper, the American deputy assistant secretary of defense for Russia, Ukraine and Eurasia, testified that her staff received two emails on July 25th that directly undermine Trump's claim. The first, received at 2:31 PM, stated that the Ukrainian embassy was asking about the security assistance. The second, received at 4:25 PM, stated that the Ukrainian embassy knew that the foreign military financing assistance had been held up.[83] At the behest of President Trump, the State Department has not released these emails. Unless and until the administration produces these documents and any others bearing on when Ukraine first learned about the hold, we should assume that they demonstrate that Ukraine knew about the hold when Trump spoke to Zelensky on July 25.

B. THE EVIDENCE THAT HAS EMERGED DESPITE TRUMP'S INTRANSIGENCE HAS ONLY BOLSTERED THE CASE AGAINST HIM

Based on the above analysis alone, the Senate is more than entitled to infer that the mountain of evidence that Trump is withholding would demonstrate his guilt. But two further points compel us to make such an inference. First, Trump confessed on national television to having ''all the materials'' and bragged about how he had kept them from Congress.[84] We cannot let this gleeful boast stand without inferring that the materials in question speak to Trump's guilt.

Second, as the House managers repeatedly cautioned us would happen, the evidence that Trump has been hiding has started to come out. And each newly revealed tape or record *has been* unfavorable to the President's case. The assumption that the law compels us to make about the contents of these materials—that they demonstrate the President's guilt—is confirmed each and every time they come out into the light. Most damning has been the leak of a draft of John Bolton's forthcoming book, which confirms that the President ''told his national security adviser in August that he wanted to continue freezing $391 million in security assistance to Ukraine until officials there helped with investigations into Democrats including the Bidens,'' as well as details about the involvement of various senior cabinet officials in Trump's illegal scheme.[85] And this is only the most recent revelation in a rapidly growing series of records that have come to light. On January 14, 2020, Lev Parnas, a former associate of Rudy Giuliani, released documents which demonstrate both that the President was orchestrating a deal to get Zelensky to ''announce that the Biden case will be investigated,'' and that Marie Yovanovitch was the subject of an illegal intimidation campaign.[86] On January 25, 2020, a tape from April, 2018 was publicly released of a private dinner with top donors where Trump is heard yelling: ''Get rid of her! Get her out tomorrow. I don't care. Get her out tomorrow. Take her out. Okay? Do it,'' in reference to Ambassador Yovanovitch.[87] The President is also heard specifically asking how long Ukraine would last in a war against Russia absent U.S. support—in other words, inquiring how much Ukraine is at the mercy of the United States.[88] Not only does this tape provide further evidence of a coordinated campaign against the Ambassador; it also undermines ''earlier defenses by the White House that Trump wasn't aware of what was taking place in the early phase of the Ukraine affair.''[89] This tape suggests that Trump not only knew about the Ukraine affair, but also that ''he may have been directing events'' as early as April 2018.[90]

The steady drip of damning evidence leaking from the President's associates, combined with Trump's own public confession to concealing relevant evidence, compels us to conclude what the law already instructs us to infer: that the mountain of evidence Trump is hiding proves his guilt.

Conclusion

It is clear to me that Trump is guilty of bribery and that his campaign to obstruct any investigation into his wrongdoing only strengthens the case against him. Trump's actions require us to vote to remove him from office. When the Framers included the impeachment power in the Constitution, they knew that there would be a presidential election every four years—and they also knew that this was an insufficient check against a President who abuses the power of his office to cheat his way to re-election. Trump's misdeeds are a case study in the need for impeachment.

Throughout the impeachment trial, I have been moved by the grave moral purpose that the Senate is charged with pursuing—of sustaining America as an idea, of our Constitution as a living document that gives substance to our identity as the world's leading democracy. As we sit in judgment of a President who has demonstrated nothing but contempt for our laws and our values, history sits in judgment of the Senate. By failing to remove Trump from office, we will have failed our country.

ENDNOTES

1. U.S. CONST. art. II. §4 (''The President [. . .] shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors'').

2. See generally, JARED P. COLE & TODD GARVEY, CONG. RES. SERV., R44260, IMPEACHMENT AND REMOVAL (2015); *see also* Paul Leblanc, *Democrats Play 1999 Video of Lindsey Graham Talking About Impeachment to Bolster Case Against* Trump, CNN, Jan. 23, 2020, available at *https://www.cnn.com/2020/01/23/politics/impeachment-managers-lindsey-graham-video/index.html* (quoting then-Representative Graham's statement during the Clinton impeachment that an impeachable offense ''[d]oesn't even have to be a crime. It's just when you start using your office and you're acting in a way that hurts people, you have committed a high crime''); Steven J. Harper, *Why Did Alan Dershowitz Say Yes to Trump?*, N.Y. TIMES, Jan. 22, 2020, available at *https://www.nytimes.com/2020/01/22/opinion/alan-dershowitz-impeachment.html* (quoting Alan Dershowitz's 1998 comments regarding the Clinton impeachment that ''[i]t certainly doesn't have to be a crime if you have somebody who completely corrupts the office of president and who abuses trust and who poses great danger to our liberty. You don't need a technical crime. We look at their acts of state. We look at how they conduct the foreign policy. We look at whether they try to subvert the Constitution'').

3. U.S. CONST. art. II §4.

4. 18 U.S.C. §201(b).

5. The President does not contest that he is a ''public official,'' and the law confirms that it would be foolish to claim otherwise. The courts have found that a wide array of officials are subject to the bribery statute: from a cook at a federal prison, *U.S.* v. *Baymon*, 312 F. 3d 725, 728 (5th Cir. 2002), to a private in the United States army, *U.S.* v. *Kidd*, 734 F. 2d 409, 411–12 (9th Cir. 1984), to a housing eligibility technician employed by an independent public corporation, *U.S.* v. *Hang*, 75 F. 3d 1275, 1280 (8th Cir. 1996). It would defy reason to argue that a cook at a federal prison is a public official but the President of the United States is not.

6. Tom Porter, *Ambassador Sondland Said Trump Doesn't 'Give a S—' about Ukraine Except When it Benefits Him Personally, Official Testifies*, BUSINESS INSIDER, Nov. 19, 2019, available at *https://www.businessinsider.com/sondland-said-trump-doesnt-give-a-s-about-ukraine-official-2019-11*. This attitude to Ukraine is amplified by a statement made by Secretary of State Pompeo, who has refused to testify before the House of Representatives, when he recently asked a NPR political reporter whether she thought Americans gave a [expletive] about Ukraine. Mary Louise Kelly, *Encore: NPR's Full Interview with Secretary of State Mike Pompeo*, NPR, Jan. 25, 2020, available at *https://www.npr.org/2020/01/25/799470712/encore-nprs-full-interview-with-secretary-of-state-mike-pompeo*.

7. United States v. Williams, 705. F2d. 603, 602–23 (2d Cir. 1983) (''Corruption of office occurs when the officeholder agrees to misuse his office in the expectation of gain, whether or not he has correctly assessed the worth of the bribe.'').

8. U.S. v. Gorman, 807 F.2d 1299, 1304–05 (6th Cir. 1986) (explaining that ''anything of value'' should be ''broadly construed'' with a ''focus . . . on the value which the defendant subjectively attaches to the items received'').

9. U.S. v. Renzi, 769 F.3d 731, 744 (8th Cir. 2014) (citing *Williams* and *Gorman* in explaining importance of subjective test for ''anything of value'').

10. *Gorman*, 807 F. 2d 1299 at 1299.
11. *Williams*, 7 F. Supp. 2d 40 at 52–51.
12. U.S. v. Menendez, 132 F. Supp. 3d 635 (D.N.J. 2015); see Citizens United v. Fed. Election Comm'n, 558 U.S. 310, 357 (2010) (''The absence of prearrangement and coordination of an expenditure with the candidate or his agent [. . .] undermines the value of the expenditure to the candidate,'' and therefore the government was not justified in placing limits on independent expenditures.)(internal citations and quotations omitted).
13. U.S. v. Sheker, 618 F. 2d 607, 609 (9th Cir. 1980);
14. U.S. v. Girard, 601 F. 2d 69, 70 (2d Cir. 1979).
15. U.S. v. Zouras, 497 F. 2d 1115, 1121 (7th Cir. 1974).
16. Sheker, 618 F. 2d at 609.
17. U.S. v. Williams, D.D.C.1998, 7 F.Supp.2d 40, vacated in part 240 F.3d 35, 345 U.S.App.D.C. 111 (emphasis added).
18. MEMORANDUM OF TELEPHONE CONVERSATION: TELEPHONE CONVERSATION WITH PRESIDENT ZELENSKY OF UKRAINE 3 (July 25, 2019).
19. Ryan Lucas, *House Committees Subpoena Rudy Giuliani in Impeachment Inquiry*, NPR, Oct. 1, 2019, available at https://www.npr.org/2019/10/01/765986709/house-committees-subpoenae-rudy-giuliani-in-impeachment-inquiry.
20. Tamara Keith, *Trump, Ukraine and the Path to the Impeachment Inquiry: A Timeline*, NPR, Oct. 12, 2019, available at https://www.npr.org/2019/10/12/768935251/trump-ukraine-and-the-path-to-the-impeachment-inquiry-a-timeline.
21. chael Biesecker, Mary Clare Jalonick & Eric Tucker, *Giuliani Associate Names Trump, Pence, More in Ukraine Plan*, ASSOCIATED PRESS, Jan. 17, 2020, available at https://apnews.com/708b81d4c77 038eb0b751c 30f72ff315 (quoting letter from Giuliani requesting a meeting with Zelensky ''as personal counsel to President Trump and with his knowledge and consent'').
22. nneth P. Vogel, *Rudy Giuliani Plans Ukraine Trip to Push for Inquiries that Could Help Trump*, N.Y. TIMES, May 9, 2019, available at https://www.nytimes.com/2019/05/09/us/politics/giuliani-ukraine-trump.html.
23. 3See Keith, *Trump, supra* n. 23.
24. Amy Chozick & Patrick Healy, *'This Changes Everything': Donald Trump Exults as Hillary Clinton's Team Scrambles*, N.Y. Times, Oct. 28, 2016, available at https://www.nytimes.com/2016/10/29/us/politics/donald-trump-hillary-clinton.html.
25. Benjamin Wood, *Mitt Romney Says Everybody Knows It 'Is Wrong' to Ask a Foreign Government to Probe a Political Rival*, Salt Lake Tribune, Oct. 11, 2019, available at https://www.sltrib.com/news/politics/2019/10/10/mitt-romney-says-he-hasnt/. Sen. Romney made this statement in regard to Trump's request, made live on national television, that China investigate the Bidens. But the logic of the Senator's claim applies with equal force to Trump's demand that Ukraine investigate the Bidens.
26. ile CrowdStrike is not actually a Trump political opponent, Trump was accusing them of conspiring with the Democratic National Committee and did not suggest any illegal conduct on their part unrelated to President Trump's political past and future.
27. ck Beauchamp, *Trump Didn't Want an Investigation into Biden. He Wanted a Political Show.*, VOX, Nov. 20, 2019, available at https://www.vox.com/policy-and-politics/2019/11/20/20974201/gordon-sondland-impeachment-hearing-testimony-biden-show-trump.
28. 3See United States Attorneys' Manual 1–7.400—Disclosure of Information Concerning Ongoing Criminal, Civil, or Administrative Investigations, 1997 WL 1944080. Only in special circumstances are U.S. attorneys permitted to make public statements about ongoing investigations, such as when necessary to ensure public safety.
29. Treaty of Mutual Legal Assistance, Ukraine-U.S., art. 1 cl.2, July 22, 1998, T.I.A.S. No. 12978.
30. 3The Trump-Ukraine Impeachment Inquiry Report: Report for the H. Perm. Select Comm. On Intelligence Pursuant to H. Res. 660 in Consultation with the H. Comm. On Oversight and Reform and the H. Comm. On Foreign Affairs at 122, 116th Cong. (2019).
31. DEPARTMENT OF JUSTICE, STATEMENT, Sept. 25, 2019 (''The President has not asked the Attorney General to contact Ukraine—on this or any other matter. The Attorney General has not communicated with Ukraine—on this or any other subject.'')
32. e Kenneth P. Vogel, *Rudy Giuliani Plans Ukraine Trip to Push for Inquiries that Could Help Trump*, N.Y. Times, May 9, 2019, available at https://www.nytimes.com/2019/05/09/us/politics/giuliani-ukraine-trump.html (quoting Giuliani, in response to questions about his travel to Ukraine, noting that ''this isn't foreign policy—I'm asking them to do an investigation [. . .] because that information *will be very, very helpful to my client* [Donald Trump], and may turn out to be helpful to my government.'') (emphasis added).
33. Miles Parks & Brian Naylor, *Trump Did 'Nothing Wrong,' His Legal Team Says in First Day of Impeachment Defense*, NPR, Jan. 25, 2020, available at https://www.npr.org/2020/01/25/797321065/president-trumps-legal-team-to-begin-impeachment-defense?utm-source=twitter.com&utm-term=nprnews &utm-campaign= npr&utm-medium= social (''American intelligence agencies have been unanimous in their assessment that it was Russia that interfered in the last presidential race'').
34. 18 U.S.C. §201(a)(3).
35. *See* U.S. CONST. art. II §2 (The President ''shall receive ambassadors and other public ministers,''); Zivotofsky ex rel. Zivotofsky v. Kerry, 576 U.S. 1, 135 S. Ct. 2076, 2086 (2015)(the Reception Clause ''assigns the President means to effect recognition on his own initiative'').
36. Cf. U.S. v. Birdsall, 233 U.S. 223, 231 (1914) ([I]t is sufficient that [the act] was governed by a lawful requirement of the executive department under whose authority the officer was acting; and such requirement need not have been prescribed by a written rule or regulation, but might also be found in an established usage which constituted the common law of the department.'').
37. *See* MARIAN L. LAWSON & EMILY M. MORGENSTERN, CONG. RES. SERV., R40213, FOREIGN AID: AN INTRODUCTION TO U.S. PROGRAMS AND POLICY (2019).
38. McDonnell v. U.S., 136 S. Ct. 2355, 2373. The meetings that the Court considered in *McDonnell* are not comparable. Nowhere in Virginia's constitution or statutes is the governor tasked with arranging meetings, hosting parties, or engaging in unofficial conversations with other government officials. The Court took issue with a jury instruction which stated that an official act need not have been taken ''pursuant to responsibilities explicitly assigned by law,'' whereas the President's actions here clearly are assigned by law.
39. *See* U.S. Const. art. II §2 (The President ''shall receive ambassadors and other public ministers''); *Zivotofsky*, 135 S. Ct. at 2086 (2015)(the Reception Clause ''assigns the President means to effect recognition on his own intiative''); 22 U.S.C. §2754; 22 U.S.C. §2311(a).
40. *See Zivotofsky* 135 S. Ct. at 2096.
41. 526 U.S. 398, 404 (1999).
42. U.S. v. Brewster, 506 F. 2d 62, 71 (D.C. Cir. 1974). In contrast, with a bribe under 201(c), the thing of value need not be a reason that the official performed the act at all. *See* infra 14–15.
43. DEPARTMENT OF JUSTICE, CRIMINAL RESOURCE MANUAL, 834. INTENT OF THE PARTIES, available at https://www.justice.gov/jm/criminal-resource-manual-834-intent-parties.
44. *Id.*
45. *McDonnell*, 136 S. Ct. at 2371.
46. United States v. Synowiec, 333 F. 3d 786, 789 (7th Cir. 2003).
47. *Id.* at 789–90.
48. MEMORANDUM OF TELEPHONE CONVERSATION, *supra* n. 21 at 5.
49. Charlie Savage & Josh Williams, *Read the Text Messages Between U.S. and Ukrainian Officials*, N.Y. TIMES, Oct. 4, 2019, available at https://www.nytimes.com/interactive/2019/10/04/us/politics/ukraine-text-messages-volker.html.
50. Lisa Mascare, Mary Clare Jalonick & Eric Tucker, *Watch: Ambassador Gordon Sondland Testifies Trump Directed Ukraine Quid Pro Quo*, ASSOCIATED PRESS, Nov. 19, 2019, available at https://www.wgbh.org/news/national-news/2019/11/19/watch-live-eu-ambassador-gordon-sondland-2-others-testify-on-day-4-of-impeachment-hearings.
51. Jessica Taylor, 'Get Over It': Politics is Part of Foreign Policy, Mulvaney Says, NPR, Oct. 17, 2019, available at https://www.npr.org/2019/10/17/770979659/watch-white-house-holds-now-rare-press-briefing-amid-impeachment-syria-conflicts.
52. *See* Trial Memorandum of President Donald J. Trump at 27–28 (Jan. 20, 2020) (rebutting ''radical claim that a President can be impeached and removed from office solely for doing something he is allowed to do, if he did it for the 'wrong' *subjective* reasons [. . .] By eliminating any requirement for wrongful conduct, House Democrats have tried to make thinking the wrong thoughts an impeachable offense'') (emphasis in original).
53. As discussed *supra* pp. 1–2, it is eminently clear that the President need not have violated ''established law'' in order to have committed an impeachable offense.
54. 18 U.S.C. §201(c).
55. *Brewster*, 506 F. 2d at 72.
56. MEMORANDUM OF TELEPHONE CONVERSATION, *supra* n. 21 at 3.
57. *Sun-Diamond Growers*, 526 U.S. at 404.
58. *See* Kevin Breuninger, *Trump Says China Should Investigate the Bidens, Doubles Down on Ukraine Probe*, CNBC, Oct. 3, 2019, available at https://www.cnbc.com/2019/10/03/trump-calls-for-ukraine-china-to-investigate-the-bidens.html (quoting President Trump, in response to question about what he wanted Ukraine to do, stating that ''[i]f they were honest about it, they would start a major investigation into the Bidens'').
59. McDonnell v. U.S. 136 S. Ct. 2355, 2371 (2016).
60. *Id.* at 2370–71 (2016); *see also* United States v. Hawkins, 37 F. Supp. 3d 964 (N.D. Ill. 2014), aff'd in part, vacated in part on other grounds, remanded, 2015 WL 309520 (7th Cir. 2015)(''What is required to make the act corrupt is not an intent to take a specific action, but the holding out of the performance of the duties of one's office for sale.'').
61. *See supra* pp. 12–13.
62. Andrew E. Kramer, *Ukraine Knew of Aid Freeze in July, Says Ex-Top Official in Kyiv*, N.Y. TIMES, Dec. 3, 2019, available at https://www.nytimes.com/2019/12/03/world/europe/ukraine-impeachment-military-aid.html; *Transcript: Laura Cooper and David Hale's Nov. 20 Testimony to House Intelligence Committee*, WASHINGTON POST, Nov. 20, 2019, https://www.washingtonpost.com/politics/2019/11/20/transcript-laura-cooper-david-hales-nov-testimony-house-intelligence-committee/. Any statement to the contrary by Zelensky is not reliable for the simple reason that Ukraine's future depends on remaining in Trump's good graces. As Catherine Croft, who testified that the Ukrainians knew about the hold much earlier than

she expected to, stated, the Ukrainians did not want the hold publicized because it ''would be a really big deal in Ukraine, and an expression of declining U.S. support for Ukraine.'' Charlotte Butash, *Summary of Catherine Croft's Deposition Testimony*, LAWFARE, Nov. 16, 2019, available at lawfareblog.com/summary-catherine-crofts-deposition-testimony.

63. Peter Baker, *Mulvaney Will Defy House Impeachment Subpoena*, N.Y. TIMES, Nov. 12, 2019, available at https://www.nytimes.com/2019/11/12/us/politics/mulvaney-impeachment-subpoena.html.

64. Interstate Circuit v. U.S., 306 U.S. 208, 226 (1939); *see* infra Part II.

65. H. Res. 755, 116th Cong. §1 (2019).

66. 18 U.S.C. §201(b); *see supra* pp. 2–13.

67. *See Report of the H. Comm. on the Judiciary, Impeachment of Donald John Trump, President of the United States* at 120–26, 116th Cong. (2019).

68. *See* Patricia Zengerle, Karen Freifeld & Richard Cowan, *Pelso Says Trump Has Admitted to Bribery as Impeachment Probe Intensifies*, REUTERS, Nov. 14, 2019, available at https://www.reuters.com/article/us-usa-trump-impeachment/pelosi-says-trump-has-admitted-to-bribery-as-impeachment-probe-intensifies-idUSKBN1XO1HD; Jessica Taylor, *Rep. Adam Schiff: Trump's Potentially Impeachable Offenses Include Bribery*, NPR, Nov. 12, 2019, available at https://www.npr.org/2019/11/12/778380499/rep-adam-schiff-trumps-potentially-impeachable-offenses-include-bribery (explaining that Rep. Schiff believes ''there's a clear argument to be made that Trump committed 'bribery' and 'high crimes and misdemeanors'—both explicitly outlined in the Constitution as impeachable offenses—when pressuring the Ukrainian government to investigate former Vice President Joe Biden's son in exchange for long-promised military aid''); Sean Collins, *A Republican Memo Details the Party's Impeachment Inquiry Defenses. They Aren't Very Strong*, VOX, Nov. 12, 2019, available at https://www.vox.com/policy-and-politics/2019/11/12/20961073/trump-impeachment-hearings-republican-testimony-strategy (quoting Rep. Speier: ''[t]he president broke the law. He went on a telephone call with the president of Ukraine and said 'I have a favor, though,' and then proceeded to ask for an investigation of his rival. And this is a very strong case of bribery'').

69. H. Doc. No. 109–153, *Jurisdictional History of the Judiciary Committee: The Committee and Impeachment*, at 124–27.

70. *See* H. Res. 1031, 111th Cong. (2010).

71. *Id.* at §1.

72. Jennifer Steinhauer, *Senate, for Just the 8th Time, Votes to Oust a Federal Judge*, N.Y. TIMES, Dec. 8, 2010, available at https://www.nytimes.com/2010/12/09/us/politics/09judge.html.

73. Carol D. Leonnig, Tom Hamburger, & Greg Miller, *White House Lawyer Moved Transcript of Trump Call to Classified Server after Ukraine Adviser Raised Alarms*, WASHINGTON POST, Oct. 30, 2019, available at https://www.washingtonpost.com/politics/white-house-lawyer-moved-transcript-of-trump-call-to-classified-server-after-ukraine-adviser-raised-alarms/2019/10/30/ba0fbdb6-fb4e-11e9-8190-6be4deb56e01_story.html.

74. Jennifer Haberkorn, *Trump Will Try to Block Bolton Impeachment Testimony; Senate to Get Case Next Week, Pelosi Says*, L.A. TIMES, Jan. 10, 2020, available at https://www.latimes.com/politics/story/2020-01-10/pelosi-trump-impeachment-case.

75. International Union, United Auto., Aerospace and Agr. Implement Workers of America (UAW) v. N.L.R.B., 459 F. 2d 1329, 1336 (D.C. Cir. 1972) (noting that ''this rule can be traced as far back as 1722); United States v. Roberson, 233 F. 2d 517, 519 (5th Cir. 1956) (''Unquestionably the failure of a defendant in a civil case to testify or offer other evidence within his ability to produce and which would explain or rebut a case made by the other side may, in a proper case, be considered as a circumstance against him and may raise a presumption that the evidence would not be favorable to his position.'').

76. *International* Union, 459 F. 2d at 1338 (emphasis added).

77. *Id.* at 1339.

78. *Interstate Circuit*, 306 U.S. at 226.

79. *Id.*

80. Sharon Lafontaine, *House Managers Asks: Where are the Documents*, N.Y. TIMES, Jan. 24, 2020, available at https://www.nytimes.com/live/2020/impeachment-trial-live-01-24.

81. Jeff Stein & Josh Dawsey, *In New Legal Memo, White House Budget Office Defends Withholding Aid to Ukraine*, WASHINGTON POST, Dec. 12, 2019, available at https://www.washingtonpost.com/business/economy/in-new-legal-memo-white-house-budget-office-defends-withholding-aid-to-ukraine/2019/12/11/0caa030e-1b95-11ea-826b-14ef38a0f45f_story.html.

82. Jeremy Herb & Manu Raju, *Top US Diplomat Said John Bolton Opposed Call Between Trump and Ukrainian President*, CNN, Oct. 22, 2019, available at https://www.cnn.com/politics/live-news/impeachment-inquiry-10-22-2019/h_a1a8938b60cfd525c6768fd7dc207e6d.

83. *Transcript: Laura Cooper and David Hale's Nov. 20 Testimony to House Intelligence Committee*, WASHINGTON POST, Nov 20, 2019, available at https://www.washingtonpost.com/politics/2019/11/20/transcript-laura-cooper-david-hales-nov-testimony-house-intelligence-committee/.

84. Peter Wade, *Trump Brags About Concealing Impeachment Evidence: We Have All the Material, They Don't*, ROLLING STONE, Jan. 22, 2020, available at https://www.rollingstone.com/politics/politics-news/trump-impeachment-evidence-we-have-all-the-material-they-dont-941140/.

85. Maggie Haberman & Michael S. Schmidt, *Trump Tied Ukraine Aid to Inquiries He Sought, Bolton Book Says*, N.Y. TIMES, Jan. 26, 2020, available at https://www.nytimes.com/2020/01/26/us/politics/trump-bolton-book-ukraine.html.

86. Greg Sargent, *Four Big Takeaways from the Explosive Lev Parnas Documents*, WASHINGTON POST, Jan. 15, 2020, available at https://www.washingtonpost.com/opinions/2020/01/15/four-big-takeaways-explosive-lev-parnas-documents/.

87. Rosalind S. Helderman, Tom Hamburger & Josh Dawsey, *Listen: Trump Tells Associates to 'Get Rid Of' U.S. Ambassador to Ukraine*, Washington Post, Jan. 25, 2020, available at https://www.washingtonpost.com/politics/recording-of-trump-calling-for-yovanovitchs-ouster-appears-to-corroborate-parnass-account/2020/01/24/77326098-3ed3-11ea-baca-eb7ace0a3455_story.html.

88. Josh Lederman, *Trump Appears on Audio to Demand Yovanovitch's Ouster Without Knowing Her Name*, NBC NEWS, Jan. 25, 2020, available at https://www.nbcnews.com/politics/politics-news/trump-appears-audio-demand-yovanovitch-s-ouster-without-knowing-her-n1123171.

89. Philip Ewing, *Trump Impeachment Recap: Dems Wrap With Exhortation to Act*, NPR, Jan. 24, 2020, available at https://www.npr.org/2020/01/24/799426878/trump-impeachment-recap-dems-wrap-with-exhortation-to-act.

90. *Id.*

Ms. WARREN. Mr. President, when I was elected to serve in the U.S. Senate, I swore an oath to support and defend the Constitution of the United States. Every U.S. Senator takes the same oath. The Constitution makes clear that no one is above the law, not even the President of the United States.

Over the past 2 weeks, the Senate has heard overwhelming evidence showing that the President of the United States, Donald J. Trump, abused the power of his office to pressure the President of Ukraine to dig up dirt on a political rival to help President Trump in the next election. The President then executed an unprecedented campaign to cover up his actions, including a wholesale obstruction of Congress's effort to investigate his abuse of power.

The Constitution gives the Senate the sole power to conduct impeachment trials. A fair trial is one in which Senators are allowed to see and hear all of the relevant information needed to evaluate the Articles of Impeachment, including relevant witnesses and documents. The American people expected and deserved a fair trial, but that is not what they got. Instead of engaging in a pursuit for the truth, Senate Republicans locked arms with the President and refused to subpoena a single witness or document. They even refused to allow the testimony of the President's former National Security Advisor, John Bolton, who possesses direct evidence related to the issues at the heart of the trial, even as more evidence continued to come to light and as Bolton repeatedly volunteered to share what he knows.

This trial boils down to one word: corruption—the corruption of a President who has repeatedly put his interests ahead of the interests of the American people and violated the Constitution in the process; the corruption of this President's political appointees, including individuals like U.S. Ambassador to the European Union Gordon Sondland, who paid $1 million for an ambassadorship; the corruption running throughout our government that protects and defends the interests of the wealthy and powerful to the detriment of everyone else.

Americans have a right to hear and see information that further exposes the gravity of the President's actions and the unprecedented steps he and his agents took to hide it from the American people. But more importantly, Americans deserve to know that the President of the United States is using the power of his office to work in the Nation's interest, not his own personal interest.

I voted to convict and to remove the President from office in order to stand up to the corruption that has permeated this administration and that was on full display with President Trump's abuse of power and obstruction of Congress. I will continue to call out this corruption and fight to make this government work not just for the wealthy and well-connected but to make it work for everyone.

Mr. PETERS. Mr. President, I swore an oath to defend the Constitution

both as an officer in the U.S. Navy Reserve and as a U.S. Senator.

At the beginning of the impeachment trial, I swore an oath to keep an open mind, listen carefully to the facts, and in the end deliver impartial justice.

After carefully listening to the arguments presented by both House managers and the President's lawyers, I believe the facts are clear.

President Trump stands accused by the House of Representatives of abusing his power in an attempt to extort a foreign government to announce a trumped up investigation into a political rival and thereby put his personal interest ahead of national security and the public trust.

The President illegally withheld congressionally approved military aid to an ally at war with Russia and conditioned its release on Ukraine making an announcement the President could use to falsely discredit a likely political opponent.

When the President's corrupt plan was brought to light, the White House engaged in a systematic and unprecedented effort to cover up the scheme.

The President's complete refusal to cooperate with a constitutionally authorized investigation is unparalleled in American history.

Despite the extraordinary efforts by the President to cover up the facts, the House managers made a convincing case.

It is clear.

The President's actions were not an effort to further official American foreign policy.

The President was not working in the public interest.

What the President did was wrong, unacceptable, and impeachable.

I expected the President's lawyers to offer new eyewitness testimony from people with firsthand knowledge and offer new documents to defend the President, but that did not happen.

It became very clear to me that the President's closest advisers could not speak to the President's innocence, and his lawyers did everything in their power to prevent them from testifying under oath.

Witness testimony is the essence of a fair trial. It is what makes us a country committed to the rule of law.

If you are accused of wrongdoing in America, you have every right to call witnesses in your defense, but you also don't have the right to stop the prosecution from calling a hostile witness or subpoenaing documents.

No one in this country is above the law—no one—not even the President.

If someone is accused of a crime and they have witnesses who could clear them of any wrongdoing, they would want those witnesses to testify. In fact, not only would they welcome it, they would insist on it.

All we need to do is use our common sense. The fact that the President refuses to have his closest advisers testify tells me that he is afraid of what they will say.

The President's conduct is unacceptable for any official, let alone the leader of our country.

Our Nation's Founders feared unchecked and unlimited power by the President. They rebelled against an abusive monarch with unlimited power and instead created a republic that distributed power across different branches of government.

They were careful students of history; they knew unchecked power would destroy a democratic republic.

They were especially fearful of an unchecked Executive and specifically granted Congress the power of impeachment to check a President who thought of themselves as above the law.

Two years ago, I had the privilege of participating in an annual bipartisan Senate tradition reading President George Washington's farewell address on the Senate floor.

In that address, President Washington warned that unchecked power, the rise of partisan factions, and foreign influence, if left unchecked, would undermine our young Nation and allow for the rise of a demagogue.

He warned that we could become so divided and so entrenched in the beliefs of our particular partisan group that ''cunning, ambitious and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government.''

I am struck by the contrast of where we are today and where our Founders were more than 200 years ago.

George Washington was the ultimate rock star of his time. He was beloved, and when he announced he would leave the Presidency and return to Mount Vernon, people begged him to stay.

There was a call to make him a King, and he said no. He reminded folks that he had just fought against a monarch so that the American people could enjoy the liberties of a free people.

George Washington, a man of integrity and an American hero, refused to be anointed King when it was offered to him by his adoring countrymen. He chose a republic over a monarchy.

But tomorrow, by refusing to hold President Trump accountable for his abuses, Republicans in the Senate are offering him unbridled power without accountability, and he will gleefully seize that power.

And when he does, our Republic will face an existential threat.

A vote against the Articles of Impeachment will set a dangerous precedent and will be used by future Presidents to act with impunity.

Given what we know, that the President abused the power of his office by attempting to extort a foreign government to interfere with an American election, that he willfully obstructed justice at every turn, and that his actions run counter to our Nation's most cherished and fundamental values, it is clear the President betrayed the trust the American public placed in him to fully execute his constitutional responsibilities.

This betrayal is by definition a high crime and misdemeanor. If it does not rise to the level of impeachment and removal, I am not sure what would.

The Senate has a constitutional responsibility to hold him accountable.

If we do not stand up and defend our democracy during this fragile period, we will be allowing this President and future Presidents to have unchecked power.

This is not what our Founders intended. The oath I swore to protect and defend the Constitution demands that I vote to preserve the future of our Republic. I will faithfully execute my oath and vote to hold this President accountable for his actions.

Mr. COTTON. Mr. President, I will soon join a majority of the Senate in voting down the Articles of Impeachment brought against the President by his partisan opponents. The time has come to end a spectacle that has elevated the obsessions of Washington's political class over the concerns and interests of the American people.

This round of impeachment is just the latest Democratic scheme to bring down the President. I say ''this round'' because House Democrats have tried to impeach President Trump at least four times—first, for being mean to football players; then for his transgender military policy; next for his immigration policy. And those are just the impeachment attempts. Along the way, Democrats also proclaimed that Robert Mueller would drive the President from office. Some even speculated that the Vice President and the Cabinet would invoke the 25th amendment to seize power from the President—a theory that sounds more like resistance fan fiction than reality.

What is behind this fanaticism? Simply put, the Democrats have never accepted that Donald Trump won the 2016 election, and they will never forgive him, either.

It is time for the Democrats to get some perspective. They are claiming that we ought to impeach and remove a President from office for the first time in our history for briefly pausing aid to Ukraine and rescheduling a meeting with the Ukrainian President, allegedly in return for a corruption inquiry. But the aid was released after a few weeks and the meeting occurred, yet the inquiry did not—even though, I would add, it remains justified by the Biden family's obvious, glaring conflict of interest in Ukraine.

Just how badly have the Democrats lost perspective? The House managers have argued that we ought to impeach and remove the President because his meeting with the Ukrainian President happened in New York, not Washington.

When most Americans think about why a President ought to be impeached and removed from office for the first time in our history, I suspect that pausing aid to Ukraine for a few weeks is pretty far down the list. That is not exactly ''treason, bribery, or other

high crimes and misdemeanors.'' And that is especially true when we are just months away from the election that will let Americans make their own choice. Indeed, Americans are already voting to select the President's Democratic challenger. Why not let the voters decide whether the President ought to be removed?

The Democrats' real answer is that they are afraid they will lose again in 2020, so they designed impeachment to hurt the President before the election. As one Democratic congressman said last year, ''I'm concerned that if we don't impeach this president, he will get reelected.'' Or, as minority leader CHUCK SCHUMER claimed earlier this month, impeachment is a ''win-win'' for Democrats; either it will lead to the President's defeat or it will hurt enough Republican Senators in tough races to hand Democrats the majority. Or maybe both.

The political purpose of impeachment was clear from the manner in which House Democrats conducted their proceedings. If impeachment was indeed the high-minded, somber affair that Speaker NANCY PELOSI claimed, House Democrats would have taken their time to get all the facts from all relevant witnesses. Instead, they barreled ahead with a slipshod and secretive process, denying the President's due-process rights, gathering testimony behind closed doors, leaking their findings selectively to the press, and ignoring constitutional concerns such as executive privilege.

The impeachment vote itself contradicted the pretensions of House Democrats. Speaker PELOSI said last year that she wouldn't support impeachment unless there was something ''so compelling and overwhelming and bipartisan'' that it demanded a response. Likewise, Congressman JERRY NADLER said that the House had to ''persuade enough of the opposition party voters'' before it voted to impeach. Democrats failed on both counts. Indeed, the only bipartisan aspect of the whole proceeding is that both Republicans and Democrats voted against impeaching the president. Not a single Republican voted for either article of impeachment in the House, resulting in the first party-line impeachment of a President in our Nation's history.

So instead of doing their work, House Democrats simply impeached the President and declared their job complete. Yet after piously declaring the urgency of this impeachment, they waited a month to send the articles over to the Senate. Maybe they had to wait for the gold-encrusted souvenir pens to arrive for Speaker PELOSI's ''signing ceremony.''

And once in the Senate, the political theater continued. The House Democrats repeatedly asserted a bizarre logical fallacy: their case was both ''overwhelming'' and in need of more evidence. Yet we heard from 17 witnesses—all hand-selected by the House Democrats—and received more than 28,000 pages of documents. The House could have pursued more witnesses during its impeachment, yet it instead chose to rush ahead rather than subpoena those witnesses or litigate issues in Federal court. In fact, when one of the House's potential witnesses asked a Federal court to rule on the issue, the House withdrew its subpoena and asked to dismiss the case. The House Democrats complain that the courts would have taken too long. Yet they expected the Senate to delay our work to finish theirs. And in a final, remarkable stunt, Congressman ADAM SCHIFF suggested that we depose witnesses—only his, of course, not the President's—with Chief Justice Roberts ruling on all questions of evidence and privilege, dragging him into this political spectacle.

But the curtain will soon come down on this political theater. The Senate will perform the role intended for us by the Founders, of providing the ''cool and deliberate sense of the community,'' as it says in Federalist 63, over and against an inflamed and transient House majority. Were we to do otherwise, were the Senate to acquiesce to the House, this process might have dragged on for many weeks, even for months, shutting down the normal legislative business of Congress even longer than it already has.

Even worse, by legitimizing the House's flawed, partisan impeachment, we would be setting a grave precedent for the future. Just consider how many times we heard about the impeachment trial of President Andrew Johnson during this trial. The Founders didn't intend impeachment as a tool to check the Executive over policy disagreements or out of political spite. And the House has never before used impeachment in this way, not when the Democrats claimed that President George W. Bush misled the country into the Iraq war or when President Barack Obama broke the law by releasing terrorists from Guantanamo Bay in return for the release of an American deserter, Bowe Bergdahl. Indeed, the Republican House did not impeach President Obama for, yes, withholding aid from Ukraine for 3 full years.

No House in the future should lead the country down this path again. By refusing to do this House's dirty work, the Senate is stopping this dangerous precedent and preserving the Founders' understanding that Congress ought to restrain the executive through the many checks and balances still at our disposal. More fundamentally, we are preserving the most important check of all—an election. It is time to teach that lesson to this House and to all future Houses, of both parties.

NANCY PELOSI and ADAM SCHIFF have failed, but the American people lost. Now it is time to get back to doing the people's business.

Mr. SULLIVAN. Mr. President, I rise today to speak about the impeachment of Donald J. Trump.

The Democratic House managers, who are prosecuting the case against the President, emphasized that history is watching. That is true. Every action taken by the House and the Senate during this impeachment sets a precedent for our country and our institutions of government, whether good or bad.

For that reason, it is our job as Senators to look at the entire record of this proceeding—from what happened in the House to final arguments made here in the Senate. It is also our duty to look at the whole picture, the flawed process in the House, the purely partisan nature of the articles of impeachment, the President's actions that led to his impeachment, and the impact of all of this on our constitutional norms.

Most importantly, we must weigh the impact on our Nation and on the legitimacy of our institutions of government, if the Senate were to agree with the House managers' demands to overturn the 2016 election and remove the President from the 2020 ballot. This has never happened in our country's 243-year history.

It is also our job as Senators during an impeachment trial to be guided by ''a deep responsibility to future times.'' This is a quote from U.S. Supreme Court Justice Joseph Story, two centuries ago, but it couldn't be more relevant today. With this grave constitutional responsibility in mind, and considering the important factors listed above, I will vote to acquit the President on both charges brought against him.

It may surprise some, but if you listened to all the witnesses in this trial and you examine the sweep of American history, one strong bipartisan point of consensus has emerged: Purely partisan impeachments are not in the country's best interest. In fact, they are a danger which the Framers of the Constitution clearly feared.

Alexander Hamilton's warning from Federalist No. 65 bears repeating: ''In many cases [impeachment] will connect itself with the pre-existing factions, and will inlist all their animosities, partialities, influence, and interest on one side or on the other; and in such cases there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties, than by the real demonstrations of innocence or guilt . . . Yet it ought not to be forgotten that the demon of faction will, at certain seasons, extend his sceptre over all numerous bodies of men.''

The reason for this ''greatest danger'' is obvious: the weaponization of impeachment as a regular tool of partisan warfare will incapacitate our government, undermine the legitimacy of our institutions, and tear the country apart. Until this impeachment, our country's representatives largely understood this. During the Clinton impeachment—Democrats, including Minority Leader SCHUMER and House Managers LOFGREN and NADLER, argued that a purely partisan impeachment would be ''divisive,'' ''lack the legitimacy of a national consensus,'' and

''call into question the very legitimacy of our political institutions.''

Less than a year ago, Speaker PELOSI said: ''Impeachment is so divisive to the country that unless there's something so compelling and overwhelming and bipartisan, I don't think we should go down that path because it divides the country.''

Yet here we are. Against the weight of bipartisan consensus and the wisdom of the Framers, the House still took this dramatic and consequential step, the first purely partisan impeachment in U.S. history. Only Democrats in the House voted to impeach the President, while a bipartisan group of House members opposed.

This was done through rushed House proceedings that lacked the most basic due process procedures afforded Presidents Clinton and Nixon during their impeachment investigations. A significant portion of the House proceedings last fall took place in secret, where the President was not afforded counsel, the ability to call his own witnesses, or cross-examine those of the House Democrats. Certain testimonies from these secret hearings were then selectively leaked to a pro-impeachment press. This happened in America. In my view, it sounds like something more worthy of the Soviet Union, not the world's greatest constitutional republic.

Yet here we are. A new precedent has been set in the House. When asked several times if these precedents and the partisan nature of this impeachment should concern us, the House managers dodged the questions, and my Senate colleagues, who in 1999 were so strongly and correctly and vocally against the dangers of purely partisan impeachments, have all gone silent.

Perhaps it is too late. Perhaps the genie is now out of the bottle. Perhaps the danger that Hamilton so astutely predicted 232 years ago is upon us for good. I hope not. No one thinks that partisan impeachments every few years would be good for our great Nation.

The Senate does not have to validate this House precedent, and a Senate focused on ''deep responsibility to future times'' shouldn't do so.

In addition to unleashing the danger of purely partisan impeachments, the House's impeachment action and their arguments before the Senate, if ratified, have the potential to undermine other critical constitutional norms, such as the separation of powers and the independence of our judiciary.

These traditions exist to implement the will of the people we represent and to protect their liberty. And yet so much of what has already been done in the House and what has now been argued in the Senate has little or no precedent in U.S. history, thereby threatening many of the constitutional safeguards that have served our country so well for over two centuries.

Take, for example, the debate we recently had on whether to have the Senate seek additional evidence for this impeachment trial. The House Managers claim that, by not doing so, we are undermining a ''fair trial'' in the Senate. The irony of such a claim should not be lost on the American people.

Throughout this trial, and in their briefs, the House managers have claimed dozens of times that they have ''overwhelming evidence'' on the current record to impeach the President, thereby undermining their own rationale for more evidence.

And in terms of fairness, it is well documented that the Democratic leadership in the House just conducted the most rushed, partisan, and fundamentally unfair House impeachment proceedings in U.S. history.

A Senate vote to pursue additional evidence and witnesses would have turned the article I constitutional impeachment responsibilities of the House and Senate on their heads. It would have required the Senate to do the House's impeachment investigatory work, even when the House affirmatively declined to seek additional evidence last fall, such as subpoenaing Ambassador John Bolton, because of Speaker PELOSI's artificial deadline to impeach the President by Christmas.

A vote by the Senate to pursue additional evidence that the House consciously chose not to obtain would incentivize less thorough and more frequent partisan impeachments in the future, a danger that should concern us all.

Another example of the House's attempt to erode long-standing constitutional norms is found in its second Article of Impeachment, obstruction of Congress. This article claims that the President committed an impeachable offence by resisting House subpoenas for witnesses and documents, even though the House didn't attempt to negotiate, accommodate, or litigate the President's asserted defenses, such as executive privilege and immunity, to provide such evidence.

These defenses have been utilized by administrations, Democrat and Republican, for decades and go to the heart of the separation of powers within the article I and article II branches of the Federal Government and even implicate a defendant's right to vigorously defend oneself in court. Indeed, the Supreme Court acknowledged in United States v. Nixon that the President has the right to assert executive privilege.

Nevertheless, the House managers argued that the mere assertion of these constitutional rights is an impeachable offense, in essence claiming the unilateral power to define the limits and scope of executive privilege, while simultaneously usurping that power from the courts, where it has existed for centuries.

Indeed, the House managers even argued that merely asserting these defenses is evidence of guilt itself. This is a dangerous argument that demonstrates a lack of understanding of basic constitutional norms. As U.S. Supreme Court Justice Brandeis stated in his famous dissent in Myers v. United States, ''The doctrine of the separation of powers was adopted by the convention of 1787 not to promote efficiency but to preclude the exercise of arbitrary power. The purpose was not to avoid friction, but, by means of the inevitable friction incident to the distribution of the governmental powers among three departments, to save the people from autocracy.'' If allowed to stand by the Senate, the implications of these House precedents for our Nation and the individual liberties of the people we represent are difficult to discern, but would be profound and likely very negative.

Similarly concerning were the attempts, both subtle and not so subtle, to inject Chief Justice Roberts of the U.S. Supreme Court into this trial. The smooth siren song of House Manager SCHIFF, casually inviting the Senate and Chief Justice into a constitutional labyrinth for which there may have been no exit, was a recurring theme of this trial.

''We have a perfectly good judge here,'' SCHIFF said over and over again, ''whom you all trust and have confidence in.'' Let him quickly decide all the weighty legal and constitutional issues before the Senate, the relevance of witnesses, claims of immunity and executive privilege, what House Manager NADLER described on day 1 of the trial as ''executive privilege, and other nonsense.''

Moreover, the Chief Justice could do this all within a week, SCHIFF told us. It all seemed so simple, rational, and efficient. But our Constitution doesn't work this way. The Chief Justice, in an impeachment of the President, sits as the Presiding Officer over the Senate, not as an article III judge. And while the Senate can delegate certain trial powers to him, it cannot delegate matters, such as a President's claims of executive privilege, over which the Senate itself does not have constitutional authority.

The quick and efficient fix SCHIFF was tempting the Senate with might have ended up as a form of constitutional demolition. And as the trial proceeded, it became apparent that it was more than just claims of efficiency behind the invitation to draw the Chief Justice fully into the trial.

There was something else afoot, a subtle and not so subtle attempt by some to attack the credibility and independence of the Chief Justice and the Court he leads. The junior Senator from Massachusetts' question for the House managers, which drew an audible gasp from those watching in the Senate after the Chief Justice read it, made this clear, when she asked about ''the loss of legitimacy of the Chief Justice, the Supreme Court, and the Constitution,'' so too did Minority Leader SCHUMER's parliamentary inquiry about the precedent from the impeachment of President Johnson 150 years ago, on the role of the Chief Justice in breaking ties on 50–50 votes in

the Senate during Presidential impeachments. Chief Justice Roberts' cogent, historically accurate, and constitutionally, based answer to this inquiry will set an important precedent on this impeachment issue for generations to come.

Perhaps it is all a coincidence, but as these attempts to diminish the Chief Justice's credibility by more fully dragging him into this impeachment trial were ongoing, much more harsh political ads directly attacking him in this regard were being launched across the country. Members of the Senate noticed, and we were not impressed.

The independence of the Federal judiciary as established in our Constitution is a gift to our Nation that has taken centuries to develop. The overreach of the House managers and certain Democratic Senators seeking to undermine this essential constitutional norm was a disappointing and even dangerous aspect of this impeachment trial.

When historians someday write about this divisive period of American history, they would do well to focus on these subtle and not so subtle attacks on the Chief Justice's credibility—and by extension the credibility of the Supreme Court—for it was clearly one of the important reasons why the Senate voted last week, 51 to 49, to no longer prolong the trial phase of this impeachment.

The impeachment articles do not charge the President with a crime. Although there was much debate in the trial on whether this is required, it is undisputed that in all previous presidential impeachments—Johnson, Nixon, and Clinton—the President was charged with having violated a criminal statute. And there was little dispute that these charges were accurate. Lowering the bar to non-criminal offenses has set a new precedent. However, whether a crime is required is still debatable. Instead, the House impeachment charged the President with an abuse of power based on speculative interpretation of his intent.

So what about the President's actions that were the primary focus of this impeachment trial and the basis of the House's first Article of Impeachment claim that he abused his power? The House managers argued that the President abused his power by taking actions that on their face appeared valid—withholding aid to a foreign country and investigating corruption—but were motivated by ''corrupt intent.''

One significant problem with this argument is that it is vague and hinges on deciphering the President's intent and motives, a difficult feat because it is subjective and could be—and was indeed in this case—defined by a partisan House. Further, the House managers argue essentially that there could be no legitimate national interest in pursuing investigations into interference of the U.S. 2016 elections by Ukraine and corruption involving Burisma.

I believe all Presidents have the right to investigate interference in U.S. elections and credible claims of corruption and conflicts of interest, particularly in countries where America sends significant amounts of foreign aid, like Ukraine, and where corruption is endemic, like Ukraine.

Were the President's actions perfect? No. For example, despite having the authority to investigate corruption in Ukraine and with Burisma, I believe he should have requested such an investigation through more official and robust channels, such as pursuing cooperation through the U.S. Mutual Legal Assistance Treaty with Ukraine, with the Department of Justice in the lead. I also believe that the role of Mr. Giuliani has caused confusion and may have undermined the Trump administration's broader foreign policy goals with regard to Ukraine.

But none of this even remotely rises to the level of an offense that merits removing the President from office. It is difficult to imagine a situation requiring a higher burden of proof. The radical and dangerous step that the House Democrats are proposing seems to have been lost in all of the noise.

What they are asking the Senate to do is not just overturn the results of the 2016 election—nullifying the votes of millions of Americans—but to remove the President from the 2020 ballot, even as primary voting has begun across the country.

Such a step, if ever realized, would do infinitely more damage to the legitimacy of our constitutional republic and political system than any mistake or error of judgment President Trump may have made.

An impeachment trial is supposed to be the last resort to protect the American people against the highest crimes that undermine and threaten the foundations of our Republic, not to get rid of a President because a faction of one political party disagrees with the way he governs. That is what elections are for.

I trust the Alaskan and American people, not House Democrats, with the monumental decision of choosing who should lead our Nation.

And soon, they will decide, again, who should lead our Nation. In churches, libraries, and school cafeterias, the people all across the country will vote for who they want to represent them.

And I am convinced that the American people will make their choices wisely.

Let me conclude by saying a few words about where we should go from here.

Right before this impeachment trial began, I was at an event in Wasilla, AK, where many of Alaska's military veterans attended. A proud veteran approached me with a simple but fervent request. ''Senator SULLIVAN,'' he said, ''Protect our Constitution.''

So many of us, including me, have heard similar pleas over the past few months from the people we represent, but there was something about the way he said it, something in his eyes that truly got my attention. I realized that something was fear. That man, a brave Alaskan who had served in the military to protect our constitutional freedoms, was afraid that the country he knows and he loves was at risk. And I have to admit that I have had similar fears these past weeks.

But I look around me, on this floor, and I continue to see hope for our Nation.

I see my colleagues on the other side of the aisle—my friends—who are willing to work with me on so many issues to find solutions sorely needed for the country.

And back home, I see my fellow Alaskans, some of them fearful, but also so hungry to do their part to help heal the divides.

We should end this chapter, and we should take our cues from them, the people whose spirit and character guides this great Nation. They want us to protect our Constitution. They need us to work together to do that and address America's challenges.

It's time to get back to the work Alaskans want the Congress to focus on: growing our economy, improving our infrastructure, rebuilding our military, cleaning up our oceans, lowering healthcare costs and drug prices, opening markets for our fishermen, and taking care of our most vulnerable in society like survivors of sexual assault and domestic violence and those struggling with addiction.

That is what I am committed to do.

Ms. CORTEZ MASTO. Mr. President, the decision I make today is not an easy one, nor should it be.

I have approached this serious task with an open and impartial mind, as my trial oath required. I have studied the facts and the evidence of the case before me.

I have been an attorney for over two decades, and I was the attorney general of Nevada for 8 years. And I keep coming back to what I learned in the courtroom. The law is a technical field, but it is also based on common sense.

You don't have to study the law for years to know that stealing and cheating are wrong. It is one of the first things we learn in our formative years.

And you don't have to be a law school professor to realize that a President should not be using the job the American people gave him to benefit himself personally.

Abraham Lincoln reminded us that our Nation was founded on the essential idea of government ''of the people, by the people, for the people.''

As I sat on the Senate floor thinking about President Lincoln and listening to the arguments in President Trump's impeachment trial, I thought of the awesome responsibility our Founding Fathers entrusted to each Senator.

I also thought about all of the Nevadans I represent—those who voted for President Trump and those who did not. For those who did, I put myself in

their shoes and considered how I would respond if the President were from my political party.

The removal of a sitting President through impeachment is an extraordinary remedy. It rarely occurs, and no Senator should rush into it.

Yet impeachment is a key part of our constitutional order. When our Founding Fathers designed the Office of the Presidency, the Framers of the Constitution had just gotten rid of a King, and they didn't want another one.

They were afraid that the President might use his extensive powers for his own benefit.

To prevent this, the Framers provided for impeachment by the House and trial by the Senate for ''treason, bribery, or other high crimes and misdemeanors.''

They didn't have to do things this way. They could have left it up to the courts to hold the trial of a President accused of wrongdoing.

But they wanted to make sure each branch of government could be a check on the other, which would bring balance to our system of government.

And the Framers were specifically concerned with the idea of an all-powerful Executive who might abuse his power and invite foreign interference in our elections.

This concern is reflected in the Articles of Impeachment laid out by the House managers.

Putting aside the biases I heard coming from both political parties, I focused on getting to the truth of the case—like any trial attorney.

The truth in any case that I have been involved with starts with the facts.

For 2 weeks I listened to the arguments presented by both sides, took notes, posed questions, and identified the facts that were supported and substantiated and those that were not.

With a heavy heart and great sadness, I became convinced by the evidence that President Trump intentionally withheld security assistance and a coveted White House meeting to pressure Ukraine into helping him politically, even though Ukraine was defending itself from Russia.

This wasn't an action ''of the people, by the people, for the people.''

President Trump used the immense power of the U.S. Government not for the people but, rather, for himself.

We know these facts from President Trump's own words in a phone call to Ukrainian President Zelensky in July and in statements to the press in October.

We also know it through the testimony of 17 American officials—many of them appointed by the President himself.

Those officials indicated that over the spring and summer of 2019, through both his personal lawyer, Rudy Giuliani, and through American diplomats, President Trump asked Ukraine to publicly announce investigations that would influence the 2020 elections in his favor.

We also know through testimony provided during the House investigation that President Trump tried to pressure Ukraine to announce those investigations, first by conditioning a visit by President Zelensky to the White House on them and later by denying $391 million in security assistance to Ukraine.

Some of my colleagues don't dispute these facts.

President Trump's actions interfere with the fundamental tenets of our Constitution. Citizens do not get to govern themselves if the officials who get elected seek their own benefit to the detriment of the public good.

The Framers knew this. They were very aware that officials could leverage their office to benefit themselves.

In Federalist No. 65, Alexander Hamilton explained why we had the impeachment power in the first place: it was to respond to ''those offenses which proceed from the misconduct of public men, or in other words, from the abuse or violation of some public trust.''

With the undisputed facts condemning the president, I listened to the President's counsel argue that the Articles of Impeachment were defective because abuse of power and obstruction of Congress are not crimes.

However, many constitutional scholars soundly refuted this argument, and precedent supports them. The Impeachment Articles in President Nixon's case included abuse of power and obstruction of Congress.

During this impeachment investigation, the President blocked all members of his administration from testifying in response to congressional committee requests and withheld all documents.

This action is absolutely unprecedented in American history. Even Presidents Nixon and Clinton allowed staff to testify to Congress during impeachment investigations and provided some documents.

The executive branch has no blanket claim to secrecy. It works for the American people, as do Members of Congress.

In the Senate, the President's counsel argued that the House investigators should have fought this wholesale obstruction in court. Yet at the same time, in a court down the street, other administration lawyers contended that the courts should stay out of disputes between Congress and the President.

The President's counsel also argued that the American people should decide in the next election whether to remove President Trump for his actions. But if this were the standard, then the impeachment clause could only ever be utilized in the second term of a Presidency, when no upcoming election would preserve the country.

Most importantly, isn't the impeachment clause pointless if a president can abuse his power in office and then completely refuse to comply with a House impeachment investigation and a Senate trial in order to delay until the next election?

The Framers themselves actually argued about whether Americans could rely on elections to get rid of bad presidents. They decided that if they didn't put the impeachment power into the Constitution, a corrupt President would be willing to do anything to get himself reelected.

James Madison said that without impeachment, a corrupt President ''might be fatal to the Republic.''

And through my oath of office as a Senator, I swore to protect not just Nevadans but also our great Republic.

Our country, unfortunately, has never been more divided along party lines. It played out in the House impeachment investigation and in the Senate trial. The Senate rules for the trial were not written by all of the Senators with bipartisan input. Instead, they were written behind closed doors by one man in coordination with the President. In so doing, the Senate has abdicated its powerful check on the executive branch.

Without this important check, I am concerned about what the President will do next to put our Republic in jeopardy.

We have seen that President Trump is willing to violate our Constitution in order to get himself reelected. He has disrespected norms and worked to divide our country for his own political gain. He has undermined our standing in the world and put awesome pressure on foreign leaders to benefit himself, rather than to advance the interests of our country.

I have also learned from this trial that the President is willing to take any action, including cheating in the next election, to serve his personal interest.

No act in our country is more sacred and solemn for democracy than voting, and nothing in our system of government is more vital to the continued health of our democracy than its elections. No American should stand for foreign election interference, much less invite it.

American elections are for Americans.

That is why I cannot condone this President's actions by acquitting him.

Finding the President guilty of abuse of power and obstruction of Congress marks a sad day for our country and not something I do with a light heart.

But I was sent to Congress not just to fight for all Nevadans but also to fight for our children and their future. To leave them with a country that still believes in right and wrong, that exposes corruption in government and holds it accountable, that stands up to tyranny at home and abroad.

In my view, President Trump has fallen far, far short of those lofty ideals and of the demands of our Constitution.

That requires the rest of us, regardless of party, creed, or ethnicity, to work together all the more urgently to defend our democracy, our elections, and our national security.

I have faith in Americans because I have seen time and time again in Nevada our ability to come together and work with one another for our common good.

America is more than just one person, and like President Lincoln's, my faith will always lie with the people.

Ms. ROSEN. Mr. President, I didn't come to the Senate expecting to sit as a juror in an impeachment trial. I have participated in this trial with an open mind, determined to evaluate the President's actions outside of any partisan lens, and with a focus on my constitutional obligations. I listened to the arguments, took detailed notes, asked questions, and heard both sides answer questions from my colleagues. After thorough consideration, based on the evidence presented, sadly, I find I have no choice but to vote to remove the President from office.

The first Article of Impeachment charges the President with abuse of power, specifically alleging that the President used the powers of his public office to obtain an improper political benefit. I can now conclude the evidence shows that this is exactly what the President did when he withheld critically important security assistance from Ukraine in order to persuade the Ukrainian Government to investigate his political rival. I understand that foreign policy involves negotiations, leveraging advantages, and using all the powers at our disposal to advance U.S. national security goals. But this was different. The President sent his personal attorney, whose obligation is to protect the personal interests of the President, not the United States, to meet and negotiate with foreign government officials from Ukraine to get damaging information about the President's rivals, culminating in the July 25 phone call between the U.S. and Ukrainian Presidents, during which the President made clear his intent to withhold aid until a political favor was completed. In doing so, the President put U.S. national security and a key alliance against Russian aggression at risk, all so he could benefit politically from the potential fallout from an investigation into a possible opponent.

While I would like to hear more from witnesses and see the documents the administration is withholding, the evidence presented is compelling and not in doubt. The President withheld military aid in order to coerce an ally to help him politically. This is no mere policy disagreement; this is about whether the President negotiates with foreign governments on behalf of the United States; or on his own behalf. No elected official, regardless of party, should use public office to advance his or her personal interests, particularly to the detriment of U.S. national security, and in the case of the President of the United States, such conduct is particularly dangerous. As elected officials, we have no more important responsibility than ensuring our national security, and that includes protecting the Nation from future threats. The President's conduct here sets a dangerous precedent that must not be repeated in the future and requires a firm response by the representatives of the people. After hearing evidence that the President heldup congressionally approved military assistance to an ally fighting Russia in order to exact concessions from Ukraine that benefited him personally, we cannot trust the President to place national security over his own interests. It is therefore with sadness that I conclude that the President must be removed from office under article I and I will vote to convict him of abuse of power.

With respect to the second Article of Impeachment charging obstruction of Congress, the President's behavior suggests that he believes he is above the law. Certainly, there may be documents and testimony that are subject to executive privilege or are confidential for some other reason. But here, the President directed every agency, office, and employee in the executive branch not to cooperate with the impeachment inquiry conducted by the U.S. House of Representatives. As a Member of Congress, I take my oversight role seriously. It is how we ensure transparency in government, so the people of Nevada can know how their tax dollars are spent and whether their elected officials are acting legally, ethically, and in their best interests. The President's refusal to negotiate in good faith with the House investigators over documents and testimony and instead to impede any investigation into his official conduct can only be characterized as blatant obstruction.

More importantly, it suggests that he will continue to operate outside the law, and if he believes he can ignore lawful subpoenas from Congress, it will be impossible to hold him accountable. For these reasons, I will vote to convict the President of obstruction of Congress, as delineated in article II.

Impeachment is a grave constitutional remedy, not a partisan exercise. To fulfill my constitutional role as a juror, I asked myself how I would view the evidence if it were any President accused of this conduct. Based on the facts and arguments presented, I conclude that no President of the United States, regardless of party, can trade congressionally approved and legally mandated military assistance for personal political favors. No one is above the law, not this President or the next President. Having exercised my constitutional duty, I will continue what I have been doing over the course of this trial and have done since I first came to Congress, to look past partisanship and develop commonsense, bipartisan solutions that help hard-working families in Nevada and across the country.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, the Senate stands in recess subject to the call of the Chair.

Thereupon, the Senate, at 4:00 p.m., recessed subject to the call of the Chair and reassembled at 4:04 p.m., when called to order by the Chief Justice.

TRIAL OF DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES

The CHIEF JUSTICE. The Senate will convene as a Court of Impeachment.

THE JOURNAL

The CHIEF JUSTICE. If there is no objection, the Journal of proceedings of the trial is approved to date.

The Deputy Sergeant at Arms, Jennifer Hemingway, will make the proclamation.

The Deputy Sergeant at Arms, Jennifer Hemingway, made proclamation as follows:

Hear ye! Hear ye! Hear ye! All persons are commanded to keep silent, on pain of imprisonment, while the Senate of the United States is sitting for the trial of the articles of impeachment exhibited by the House of Representatives against Donald John Trump, President of the United States.

As a reminder to everyone in the Chamber, as well as those in the Galleries, demonstrations of approval or disapproval are prohibited.

The CHIEF JUSTICE. The majority leader is recognized.

Mr. MCCONNELL. Mr. Chief Justice, the Senate is now ready to vote on the Articles of Impeachment, and after that is done, we will adjourn the Court of Impeachment.

ARTICLE I

The CHIEF JUSTICE. The clerk will now read the first Article of Impeachment.

The senior assistant legislative clerk read as follows:

ARTICLE I: ABUSE OF POWER

The Constitution provides that the House of Representatives ''shall have the sole Power of Impeachment'' and that the President ''shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors''. In his conduct of the office of President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald J. Trump has abused the powers of the Presidency, in that:

Using the powers of his high office, President Trump solicited the interference of a foreign government, Ukraine, in the 2020 United States Presidential election. He did so through a scheme or course of conduct that included soliciting the Government of Ukraine to publicly announce investigations that would benefit his reelection, harm the election prospects of a political opponent, and influence the 2020 United States Presidential election to his advantage. President Trump also sought to pressure the Government of Ukraine to take these steps by conditioning official United States Government

acts of significant value to Ukraine on its public announcement of the investigations. President Trump engaged in this scheme or course of conduct for corrupt purposes in pursuit of personal political benefit. In so doing, President Trump used the powers of the Presidency in a manner that compromised the national security of the United States and undermined the integrity of the United States democratic process. He thus ignored and injured the interests of the Nation.

President Trump engaged in this scheme or course of conduct through the following means:

(1) President Trump—acting both directly and through his agents within and outside the United States Government—corruptly solicited the Government of Ukraine to publicly announce investigations into—

(A) a political opponent, former Vice President Joseph R. Biden, Jr.; and

(B) a discredited theory promoted by Russia alleging that Ukraine—rather than Russia—interfered in the 2016 United States Presidential election.

(2) With the same corrupt motives, President Trump—acting both directly and through his agents within and outside the United States Government—conditioned two official acts on the public announcements that he had requested—

(A) the release of $391 million of United States taxpayer funds that Congress had appropriated on a bipartisan basis for the purpose of providing vital military and security assistance to Ukraine to oppose Russian aggression and which President Trump had ordered suspended; and

(B) a head of state meeting at the White House, which the President of Ukraine sought to demonstrate continued United States support for the Government of Ukraine in the face of Russian aggression.

(3) Faced with the public revelation of his actions, President Trump ultimately released the military and security assistance to the Government of Ukraine, but has persisted in openly and corruptly urging and soliciting Ukraine to undertake investigations for his personal political benefit.

These actions were consistent with President Trump's previous invitations of foreign interference in United States elections.

In all of this, President Trump abused the powers of the Presidency by ignoring and injuring national security and other vital national interests to obtain an improper personal political benefit. He has also betrayed the Nation by abusing his high office to enlist a foreign power in corrupting democratic elections.

Wherefore President Trump, by such conduct, has demonstrated that he will remain a threat to national security and the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with self-governance and the rule of law. President Trump thus warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

VOTE ON ARTICLE I

The CHIEF JUSTICE. Each Senator, when his or her name is called, will stand at his or her place and vote guilty or not guilty, as required by rule XXIII of the Senate Rules on Impeachment.

Article I, section 3, clause 6 of the Constitution regarding the vote required for conviction on impeachment provides that no person shall be convicted without the concurrence of two-thirds of the Members present.

The question is on the first Article of Impeachment. Senators, how say you? Is the respondent, Donald John Trump, guilty or not guilty?

A rollcall vote is required.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—guilty 48, not guilty 52, as follows:

[Rollcall Vote No. 33]

GUILTY—48

Baldwin	Hassan	Romney
Bennet	Heinrich	Rosen
Blumenthal	Hirono	Sanders
Booker	Jones	Schatz
Brown	Kaine	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Leahy	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Udall
Duckworth	Merkley	Van Hollen
Durbin	Murphy	Warner
Feinstein	Murray	Warren
Gillibrand	Peters	Whitehouse
Harris	Reed	Wyden

NOT GUILTY—52

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Rounds
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Johnson	Scott (SC)
Collins	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Loeffler	Tillis
Crapo	McConnell	Toomey
Cruz	McSally	Wicker
Daines	Moran	Young
Enzi	Murkowski	
Ernst	Paul	

The CHIEF JUSTICE. On this Article of Impeachment, 48 Senators have pronounced Donald John Trump, President of the United States, guilty as charged; 52 Senators have pronounced him not guilty as charged.

Two-thirds of the Senators present not having pronounced him guilty, the Senate adjudges that the Respondent, Donald John Trump, President of the United States, is not guilty as charged on the first Article of Impeachment.

ARTICLE II

The clerk will read the second Article of Impeachment.

The legislative clerk read as follows:

ARTICLE II: OBSTRUCTION OF CONGRESS

The Constitution provides that the House of Representatives ''shall have the sole Power of Impeachment'' and that the President ''shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors''. In his conduct of the office of President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald J. Trump has directed the unprecedented, categorical, and indiscriminate defiance of subpoenas issued by the House of Representatives pursuant to its ''sole Power of Impeachment''. President Trump has abused the powers of the Presidency in a manner offensive to, and subversive of, the Constitution, in that:

The House of Representatives has engaged in an impeachment inquiry focused on President Trump's corrupt solicitation of the Government of Ukraine to interfere in the 2020 United States Presidential election. As part of this impeachment inquiry, the Committees undertaking the investigation served subpoenas seeking documents and testimony deemed vital to the inquiry from various Executive Branch agencies and offices, and current and former officials.

In response, without lawful cause or excuse, President Trump directed Executive Branch agencies, offices, and officials not to comply with those subpoenas. President Trump thus interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives, and assumed to himself functions and judgments necessary to the exercise of the ''sole Power of Impeachment'' vested by the Constitution in the House of Representatives.

President Trump abused the powers of his high office through the following means:

(1) Directing the White House to defy a lawful subpoena by withholding the production of documents sought therein by the Committees.

(2) Directing other Executive Branch agencies and offices to defy lawful subpoenas and withhold the production of documents and records from the Committees—in response to which the Department of State, Office of Management and Budget, Department of Energy, and Department of Defense refused to produce a single document or record.

(3) Directing current and former Executive Branch officials not to cooperate with the Committees—in response to which nine Administration officials defied subpoenas for testimony, namely John Michael ''Mick'' Mulvaney, Robert B. Blair, John A. Eisenberg, Michael Ellis, Preston Wells Griffith, Russell T. Vought, Michael Duffey, Brian McCormack, and T. Ulrich Brechbuhl.

These actions were consistent with President Trump's previous efforts to undermine United States Government investigations into foreign interference in United States elections.

Through these actions, President Trump sought to arrogate to himself the right to determine the propriety, scope, and nature of an impeachment inquiry into his own conduct, as well as the unilateral prerogative to deny any and all information to the House of Representatives in the exercise of its ''sole Power of Impeachment''. In the history of the Republic, no President has ever ordered the complete defiance of an impeachment inquiry or sought to obstruct and impede so comprehensively the ability of the House of Representatives to investigate ''high Crimes and Misdemeanors''. This abuse of office served to cover up the President's own repeated misconduct and to seize and control the power of impeachment—and thus to nullify a vital constitutional safeguard vested solely in the House of Representatives.

In all of this, President Trump has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice, and to the manifest injury of the people of the United States.

Wherefore, President Trump, by such conduct, has demonstrated that he will remain a threat to the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with self-governance and the rule of law. President Trump thus warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

VOTE ON ARTICLE II

The CHIEF JUSTICE. The question is on the second Article of Impeachment.

Senators, how say you? Is the respondent, Donald John Trump, guilty or not guilty?

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—guilty 47, not guilty 53, as follows:

[Rollcall Vote No. 34]

GUILTY—47

Baldwin	Hassan	Rosen
Bennet	Heinrich	Sanders
Blumenthal	Hirono	Schatz
Booker	Jones	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Sinema
Cardin	Klobuchar	Smith
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Peters	Wyden
Harris	Reed	

NOT GUILTY—53

Alexander	Fischer	Perdue
Barrasso	Gardner	Portman
Blackburn	Graham	Risch
Blunt	Grassley	Roberts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Burr	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Johnson	Scott (FL)
Collins	Kennedy	Scott (SC)
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Cramer	Loeffler	Thune
Crapo	McConnell	Tillis
Cruz	McSally	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

The CHIEF JUSTICE. On this Article of Impeachment, 47 Senators have pronounced Donald John Trump, President of the United States, guilty as charged; 53 Senators have pronounced him not guilty as charged; two-thirds of the Senators present not having pronounced him guilty, the Senate adjudges that respondent, Donald John Trump, President of the United States, is not guilty as charged in the second Article of Impeachment.

The Presiding Officer directs judgment to be entered in accordance with the judgment of the Senate as follows:

The Senate, having tried Donald John Trump, President of the United States, upon two articles of impeachment exhibited against him by the House of Representatives, and two-thirds of the Senators present not having found him guilty of the charges contained therein, it is, therefore, ordered and adjudged that the said Donald John Trump be, and he is hereby, acquitted of the charges in said articles.

The Chair recognizes the majority leader.

COMMUNICATION TO THE SECRETARY OF STATE AND TO THE HOUSE OF REPRESENTATIVES

Mr. MCCONNELL. Mr. Chief Justice, I send an order to the desk.

The CHIEF JUSTICE. The clerk will report the order.

The legislative clerk read as follows:

Ordered, that the Secretary be directed to communicate to the Secretary of State, as provided by Rule XXII of the Rules of Procedure and Practice in the Senate when sitting on impeachment trials, and also to the House of Representatives, the judgment of the Senate in the case of Donald John Trump, and transmit a certified copy of the judgment to each.

The CHIEF JUSTICE. Without objection, the order will be entered.

The majority leader is recognized.

EXPRESSION OF GRATITUDE TO THE CHIEF JUSTICE OF THE UNITED STATES

Mr. MCCONNELL. Mr. Chief Justice, before this process fully concludes, I want to very quickly acknowledge a few of the people who helped the Senate fulfill our duty these past weeks.

First and foremost, I know my colleagues join me in thanking Chief Justice Roberts for presiding over the Senate trial with a clear head, steady hand, and the forbearance that this rare occasion demands.

(Applause.)

We know full well that his presence as our Presiding Officer came in addition to, not instead of, his day job across the street, so the Senate thanks the Chief Justice and his staff who helped him perform this unique role.

Like his predecessor, Chief Justice Rehnquist, the Senate will be awarding Chief Justice Roberts the golden gavel to commemorate his time presiding over this body. We typically award this to new Senators after about 100 hours in the chair, but I think we can agree that the Chief Justice has put in his due and then some.

The page is delivering the gavel.

The CHIEF JUSTICE. Thank you very much.

Mr. MCCONNELL. Of course, there are countless Senate professionals whose efforts were essential, and I will have more thorough facts to offer next week to all of those teams, from the Secretary of the Senate's office, to the Parliamentarian, to the Sergeant at Arms team, and beyond.

But there are two more groups I would like to single out now. First, the two different classes of Senate pages who participated in this trial, their footwork and cool under pressure literally kept the floor running. Our current class came on board right in the middle of the third Presidential impeachment trial in American history and quickly found themselves hand-delivering 180 question cards from Senators' desks to the dais.

No pressure, right, guys?

So thank you all very much for your good work.

(Applause.)

Second, the fine men and women of the Capitol Police, we know that the safety of our democracy literally rests in their hands every single day, but the heightened measures surrounding the trial meant even more hours and even more work and even more vigilance.

Thank you all very much for your service to this body and to the country.

(Applause.)

The CHIEF JUSTICE. The Chair recognizes the Democratic leader.

Mr. SCHUMER. Mr. Chief Justice, I join the Republican leader in thanking the personnel who aided the Senate over the past several weeks. The Capitol Police do an outstanding job, day in and day out, to protect the Members of this Chamber, their staffs, the press, and everyone who works in and visits this Capitol.

They were asked to work extra shifts and in greater numbers provide additional security over the past 3 weeks. Thank you to every one of them.

I, too, would like to thank those wonderful pages. I so much enjoyed you with your serious faces walking down right here and giving the Chief Justice our questions. As the leader noted, the new class of pages started midway in this impeachment trial. When you take a new job, you are usually given a few days to take stock of things and get up to speed.

This class was given no such leeway, but they stepped right in and didn't miss a beat. Carrying hundreds of questions from U.S. Senators to the Chief Justice on national television is not how most of us spend our first week at work, but they did it with aplomb.

I would also like to extend my personal thank you to David Hauck, Director of the Office of Accessibility Services; Tyler Pumphrey, supervisor; and Grace Ridgeway, wonderful Director of Capitol Facilities.

Everyone on Grace's team worked so hard to make sure we were ready for impeachment: Gary Richardson, known affectionately to us as ''Tiny,'' the chief Chamber attendant; Jim Hoover and the cabinet shop who built new cabinets to deprive us of the use of our electronics and flip phones during the trial; Brenda Byrd and her team who did a spectacular job of keeping the Capitol clean; and Lynden Webb and his team, who moved the furniture, and then moved it again and again and again.

Grace, we appreciate all your hard work. Please convey our sincerest thanks to your staff. Thank you all, the whole staff, for your diligent work through many long days and late nights during this very trying time in our Nation's history.

STATEMENT OF THE CHIEF JUSTICE OF THE UNITED STATES ON THE SENATE FLOOR

The CHIEF JUSTICE. At this time, the Chair also wishes to make a very brief statement.

I would like to begin by thanking the majority leader and the Democratic leader for their support as I attempted to carry out ill-defined responsibilities in an unfamiliar setting. They ensured that I had wise counsel of the Senate itself through its Secretary and her legislative staff.

I am especially grateful to the Parliamentarian and her deputy for their unfailing patience and keen insight. I am likewise grateful to the Sergeant at Arms and his staff for the assistance and many courtesies that they extended during my period of required residency. Thank you all for making my presence here as comfortable as possible.

As I depart the Chamber, I do so with an invitation to visit the Court. By

long tradition and in memory of the 135 years we sat in this building, we keep the front row of the gallery in our courtroom open for Members of Congress who might want to drop by to see an argument—or to escape one.

I also depart with sincere good wishes as we carry out our common commitment to the Constitution through the distinct roles assigned to us by that charter. You have been generous hosts, and I look forward to seeing you again under happier circumstances.

The Chair recognizes the majority leader.

ADJOURNMENT SINE DIE OF THE COURT OF IMPEACHMENT

Mr. MCCONNELL. Mr. Chief Justice, I move that the Senate, sitting as a Court of Impeachment on the Articles against Donald John Trump adjourn sine die.

The motion was agreed to, and at 4:41 p.m., the Senate, sitting as a Court of Impeachment, adjourned sine die.

LEGISLATIVE SESSION

ESCORTING OF THE CHIEF JUSTICE

Whereupon, the Committee of Escort: Mr. BLUNT of Missouri, Mr. LEAHY of Vermont, Mr. GRAHAM of South Carolina, and Mrs. FEINSTEIN of California, escorted the Chief Justice from the Chamber.

The PRESIDING OFFICER (Mrs. BLACKBURN). The Sergeant at Arms will escort the House managers out of the Senate Chamber.

Whereupon, the Sergeant at Arms escorted the House managers from the Chamber.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CRAMER). Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 562.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Mitch McConnell, Cindy Hyde-Smith, Thom Tillis, John Thune, Mike Crapo, Mike Rounds, Steve Daines, Kevin Cramer, Richard Burr, John Cornyn, Shelley Moore Capito, Todd Young, John Boozman, David Perdue, James E. Risch, Lindsey Graham, Roger F. Wicker.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 563.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Joshua M. Kindred, of Alaska, to be United States District Judge for the District of Alaska.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Joshua M. Kindred, of Alaska, to be United States District Judge for the District of Alaska.

Mitch McConnell, Cindy Hyde-Smith, Thom Tillis, John Thune, Mike Crapo, Mike Rounds, Steve Daines, Kevin Cramer, Richard Burr, John Cornyn, Shelley Moore Capito, Todd Young, John Boozman, David Perdue, James E. Risch, Lindsey Graham, Roger F. Wicker.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 565.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Matthew Thomas Schelp, of Missouri, to be United States District Judge for the Eastern District of Missouri.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Matthew Thomas Schelp, of Missouri, to be United States District Judge for the Eastern District of Missouri.

Mitch McConnell, Cindy Hyde-Smith, Thom Tillis, John Thune, Mike Crapo, Mike Rounds, Steve Daines, Kevin Cramer, Richard Burr, John Cornyn, Shelley Moore Capito, Todd Young, John Boozman, David Perdue, James E. Risch, Lindsey Graham, Roger F. Wicker.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 461.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of John Fitzgerald Kness, of Illinois, to be United States District Judge for the Northern District of Illinois.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of John Fitzgerald Kness, of Illinois, to be United States District Judge for the Northern District of Illinois.

Mitch McConnell, Mike Crapo, Thom Tillis, Mike Rounds, Lamar Alexander, John Hoeven, Roger F. Wicker, Pat Roberts, John Thune, Cindy Hyde-Smith, John Boozman, Tom Cotton, Chuck Grassley, Kevin Cramer, Steve Daines, Todd Young, John Cornyn.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I ask unanimous consent to move to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session for the consideration of Calendar No. 535.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Philip M. Halpern, of New York, to be United States District Judge for the Southern District of New York.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Philip M. Halpern, of New York, to be United States District Judge for the Southern District of New York.

Mitch McConnell, Mike Crapo, Thom Tillis, Mike Rounds, Lamar Alexander, John Hoeven, Roger F. Wicker, Pat Roberts, John Thune, Cindy Hyde-Smith, John Boozman, Tom Cotton, Chuck Grassley, Kevin Cramer, Steve Daines, Todd Young, John Cornyn.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum calls for these cloture motions be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate resume legislative session and be in a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO DONNA PASQUALINO

Mr. GRASSLEY. Mr. President I would like to recognize a remarkable Senate career that has drawn to a close after nearly 30 years. Donna Pasqualino began her career with the Office of the Legislative Counsel in May of 1990. Donna came to the office having spent several years at the Naval Research Lab. Hired to serve as a staff assistant in the office Donna quickly mastered the job and became a valuable asset to the office attorneys as they worked to produce draft legislation for the Senate. In 2001, Donna was promoted to office manager. She flourished in that position, carrying out her duties with the highest degree of professionalism keeping the office running smoothly and efficiently for the last 20 years.

Donna is a people person. While working for the office, she was frequently seen in the halls of the Senate office buildings, hustling to the Disbursing Office to drop off vouchers and other important papers for the office, just doing her daily walk during her lunch break to get in some exercise. Whether she was on official office business or just getting in some exercise, Donna always had a smile on her face or a kind word for the many Senators and Senate staffers that she met along the way.

Donna is now moving on to a well-earned retirement. She has relocated to the Eastern Shore of Maryland with her husband Frank and plans to learn to read music, to speak Italian, and spend more time with her four grandchildren. She departs with the immeasurable thanks and gratitude of the staff of the Office of Legislative Counsel and the Senate and with our best wishes for her and for her family.

VOTE EXPLANATION

Mr. BOOKER. Mr. President, throughout my time in Congress, I have worked to address our Nation's most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not present for the votes on the following nominees and legislation on the floor, I did vote no on the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: yes on 2/7/19 for vote No. 18, motion to table amendments to the Natural Resources Management Act, S. 47, PL 116–9.

Throughout my time in Congress, I have worked to address our Nation's most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not present for the votes on the following nominees and legislation on the floor, I did vote no on the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: no on 2/7/19 for vote No. 19, motion to table amendment to the Natural Resources Management Act, S. 47, PL 116–9.

Throughout my time in Congress, I have worked to address our Nation's most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not present for the votes on the following nominees and legislation on the floor, I did vote no on the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: no on 4/11/19 for vote No. 77, the confirmation of David Bernhardt to be Secretary of the Interior.

Throughout my time in Congress, I have worked to address our Nation's most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not present for the votes on the following nominees and legislation on the floor, I did vote no on the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: no on 9/24/19 for vote No. 300, the confirmation of Daniel Habib Jorjani to be Solicitor of the Department of the Interior.

Throughout my time in Congress, I have worked to address our Nation's most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not

present for the votes on the following nominees and legislation on the floor, I did vote no on the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: no on 9/26/19 for vote No. 310, amendment to continuing appropriations, 2020/health extenders, H.R. 4378, PL 116–59.

Throughout my time in Congress, I have worked to address our Nation's most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not present for the votes on the following nominees and legislation on the floor, I did vote no on the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: yes on 9/26/19 for vote No. 311, passage of continuing appropriations, 2020/health extenders, H.R. 4378, PL 116–59.

Throughout my time in Congress, I have worked to address our Nation's most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not present for the votes on the following nominees and legislation on the floor, I did vote no on the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: yes on 10/17/19 for vote No. 324, passage of the powerplant rule disapproval, S.J. Res. 53.

Throughout my time in Congress, I have worked to address our Nation's most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not present for the votes on the following nominees and legislation on the floor, I did vote no on the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: no on 10/31/19 for vote No. 339, amendment to further continuing appropriations, 2020, H.R. 3055.

Throughout my time in Congress, I have worked to address our Nation's most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not present for the votes on the following nominees and legislation on the floor, I did vote no the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: yes on 10/31/19 for vote No. 340, amendment to further continuing appropriations, 2020, H.R. 3055.

Throughout my time in Congress, I have worked to address our Nation's most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not present for the votes on the following nominees and legislation on the floor, I did vote no on the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: yes on 10/31/19 for vote No. 341, passage of further continuing appropriations, 2020, H.R. 3055.

Throughout my time in Congress, I have worked to address our Nation's most pressing environmental issues and have supported aggressive action to protect our environment, address climate change, and reduce air and water pollution. Although I was not present for the votes on the following nominees and legislation on the floor, I did vote no on the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service during her Senate Environment and Public Works Committee markup. In addition, if I had been present for the floor vote on her nomination and the additional votes outlined below, I would have voted in the following way: no on 12/11/19 for vote No. 395, confirmation of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service.

ADDITIONAL STATEMENTS

REMEMBERING DENMAN WOLFE

● Mr. COTTON. Mr. President, Denman Wolfe of Scottsville, AR, was called home to be with the Lord last Thursday at age 98. He was Arkansas's last surviving Army Ranger who served in the Second World War.

Denman's whole life was a portrait of honor, but he will be remembered especially for his heroic actions at age 23, when he took part in the invasion of Normandy—one of many thousands of American troops who stormed the beaches that morning to free Europe from Nazi tyranny.

Private Wolfe was part of the elite 5th Ranger Battalion charged with silencing the guns atop Pointe du Hoc, a dagger-like cliff well-guarded by German defenders. His force landed at Omaha Beach amid intense artillery fire, sustaining casualties amid the fighting on the beachhead. He was still on the beach with his fellow Rangers when MG Norman Cota shouted the order that has now become part of Ranger lore: ''Rangers, lead the way!''

Denman Wolfe obeyed this order with distinction over the course of his military service. In addition to fighting on D-day, Wolfe led the way during the Allied invasions of North Africa and Sicily during World War II and later in Asia during the Korean war. In total, he served in the Army for more than 20 years, remaining on Active Duty until 1964 and attaining the rank of sergeant first class. For this valorous service, Wolfe was awarded the Bronze Star, Purple Heart, and many other combat decorations.

Denman's service to his country didn't end once he left the military, however. Once marked, a Ranger serves for life. After settling in Arkansas after the war, Denman was called to work for his adopted State as a correctional officer, deputy sheriff, and election judge.

But his heart was always with the land, where he worked for many years as a rancher. Denman's many friends and relatives remember him as an avid outdoorsman who spent his free time fishing, hunting, gardening, foraging—even winemaking.

Denman took special joy in sharing these hobbies with his family, including his wife, Kay, his two daughters, Lesa and Lori, and his many grandchildren and great-grandchildren.

Denman Wolfe was among the greatest of a great generation. It is fitting we honor him for his bravery at age 23 as a young private but also for a lifetime of service to his country and community. We honor him for his sake but also to hold up his life as an example worthy of emulation. It is worth noting that Denman has already inspired others to follow his lead: his daughter, Lesa, served in the U.S. Army just like he did. Let's hope that many others are inspired to serve by his example.

In every aspect of life, Rangers lead the way. Denman Wolfe took this motto to heart during his long life. Now he is leading the way again, going ahead of us to our eternal home. May he rest in peace.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3922. A communication from the Acting Director, Office of Management and Budget,

Executive Office of the President, transmitting, pursuant to law, a report entitled ''OMB Final Sequestration Report to the President and Congress for Fiscal Year 2020''; to the Special Committee on Aging; Agriculture, Nutrition, and Forestry; Appropriations; Armed Services; Banking, Housing, and Urban Affairs; the Budget; Commerce, Science, and Transportation; Energy and Natural Resources; Environment and Public Works; Select Committee on Ethics; Finance; Foreign Relations; Health, Education, Labor, and Pensions; Homeland Security and Governmental Affairs; Indian Affairs; Select Committee on Intelligence; the Judiciary; Rules and Administration; Small Business and Entrepreneurship; and Veterans' Affairs.

EC–3923. A communication from the Assistant Secretary, Office of Electricity, Department of Energy, transmitting, pursuant to law, a report entitled, ''Potential Benefits of High-Power, High-Capacity Batteries''; to the Committee on Appropriations.

EC–3924. A communication from the Assistant Secretary of the Navy (Research, Development, and Acquisition), transmitting, pursuant to law, a report entitled ''Report to Congress on Repair of Naval Vessels in Foreign Shipyards''; to the Committee on Armed Services.

EC–3925. A communication from the Acting Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Conforming the Acceptable Separation Distance (ASD) Standards for Residential Propane Tanks to Industry Standards'' (RIN2506–AC45) received in the Office of the President of the Senate on February 4, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC–3926. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary, Office of Legislation and Congressional Affairs, Department of Education, received in the Office of the President of the Senate on February 4, 2020; to the Committee on Health, Education, Labor, and Pensions.

EC–3927. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems: Definition of Johnson County, Indiana, to a Nonappropriated Fund Federal Wage System Wage area'' (RIN3206–AN93) received in the Office of the President of the Senate on February 4, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC–3928. A communication from the General Counsel, Office of Management and Budget, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, received in the Office of the President of the Senate on February 4, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC–3929. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems: Redefinition of Certain Appropriated Fund Federal Wage System Wage Areas'' (RIN3206–AN87) received in the Office of the President of the Senate on February 4, 2020; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MORAN, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 450. A bill to require the Secretary of Veterans Affairs to carry out a pilot program to expedite the onboarding process for new medical providers of the Department of Veterans Affairs, to reduce the duration of the hiring process for such medical providers, and for other purposes.

By Mr. MORAN, from the Committee on Veterans' Affairs, with an amendment:

S. 850. A bill to extend the authorization of appropriations to the Department of Veterans Affairs for purposes of awarding grants to veterans service organizations for the transportation of highly rural veterans.

By Mr. MORAN, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute:

S. 2864. A bill to require the Secretary of Veterans Affairs to carry out a pilot program on information sharing between the Department of Veterans Affairs and designated relatives and friends of veterans regarding the assistance and benefits available to the veterans, and for other purposes.

By Mr. MORAN, from the Committee on Veterans' Affairs, with an amendment and an amendment to the title:

S. 3182. A bill to direct the Secretary of Veterans Affairs to carry out the Women's Health Transition Training pilot program through at least fiscal year 2020, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. WARREN (for herself, Mr. MARKEY, Mr. MENENDEZ, and Mr. BOOKER):

S. 3254. A bill to end the epidemic of gun violence and build safer communities by strengthening Federal firearms laws and supporting gun violence research, intervention, and prevention initiatives; to the Committee on Finance.

By Ms. WARREN (for herself, Mr. BROWN, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. MERKLEY, Mr. MARKEY, Ms. HASSAN, Mr. SANDERS, Ms. HIRONO, Mr. PETERS, Ms. STABENOW, Ms. HARRIS, Mr. BOOKER, Mr. BLUMENTHAL, Mr. CARDIN, Ms. SMITH, and Ms. KLOBUCHAR):

S. 3255. A bill to repeal the authority under the National Labor Relations Act for States to enact laws prohibiting agreements requiring membership in a labor organization as a condition of employment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. VAN HOLLEN, Ms. BALDWIN, Mr. BROWN, Mr. DURBIN, Ms. HARRIS, Mr. CARDIN, Mr. REED, Mr. BOOKER, Mrs. FEINSTEIN, Mr. MARKEY, Mr. SANDERS, Mr. WHITEHOUSE, Mr. MURPHY, Ms. KLOBUCHAR, Ms. DUCKWORTH, Mr. LEAHY, Mr. SCHUMER, Ms. HIRONO, Mr. MERKLEY, Mr. WYDEN, and Mrs. MURRAY):

S. 3256. A bill to permit employees to require changes to their work schedules without fear of retaliation and to ensure that employers consider these requests, and to require employers to provide more predictable and stable schedules for employees in certain occupations with evidence of unpredictable and unstable scheduling practices that negatively affect employees, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHNSON (for himself and Ms. BALDWIN):

S. 3257. A bill to designate the facility of the United States Postal Service located at 311 West Wisconsin Avenue in Tomahawk, Wisconsin, as the ''Einar 'Sarge' H. Ingman, Jr. Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WICKER:

S. 3258. A bill to foster the implementation of the policy of the United States to achieve 355 battle force ships as soon as practicable; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. TESTER (for himself, Mr. DAINES, Ms. CANTWELL, Ms. SMITH, Ms. WARREN, Ms. MCSALLY, Mr. CRAMER, Ms. BALDWIN, Mr. UDALL, Ms. KLOBUCHAR, Mr. ROUNDS, Mr. HEINRICH, Mr. BARRASSO, Mr. HOEVEN, Mrs. FISCHER, and Mr. THUNE):

S. Res. 491. A resolution designating the week beginning February 2, 2020, as ''National Tribal Colleges and University Week''; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mrs. MURRAY, Ms. CANTWELL, Ms. MCSALLY, Ms. BALDWIN, Ms. STABENOW, Ms. CORTEZ MASTO, Ms. HIRONO, Ms. ROSEN, Ms. KLOBUCHAR, Mr. DURBIN, Mrs. GILLIBRAND, Ms. SINEMA, Ms. DUCKWORTH, Mrs. SHAHEEN, Ms. COLLINS, Ms. HARRIS, Mr. LEAHY, Ms. SMITH, Ms. HASSAN, and Ms. WARREN):

S. Res. 492. A resolution supporting the observation of ''National Girls & Women in Sports Day'' on February 5, 2020, to raise awareness of and celebrate the achievements of girls and women in sports; to the Committee on Commerce, Science, and Transportation.

By Mr. MCCONNELL (for himself and Mr. SCHUMER):

S. Res. 493. A resolution to authorize testimony, documents, and representation in United States v. Stahlnecker; considered and agreed to.

ADDITIONAL COSPONSORS

S. 170

At the request of Mr. DAINES, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 170, a bill to amend the Internal Revenue Code of 1986 to limit the amount of certain qualified conservation contributions.

S. 277

At the request of Ms. HIRONO, the names of the Senator from New York (Mr. SCHUMER), the Senator from New Jersey (Mr. BOOKER), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 277, a bill to posthumously award a Congressional Gold Medal to Fred Korematsu, in recognition of his dedication to justice and equality.

S. 296

At the request of Mr. CARDIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 296, a bill to amend XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 633

At the request of Mr. MORAN, the names of the Senator from Indiana (Mr. YOUNG), the Senator from Delaware (Mr. COONS) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 633, a bill to award a Congressional Gold Medal to the members of the Women's Army Corps who were assigned to the 6888th Central Postal Directory Battalion, known as the ''Six Triple Eight''.

S. 983

At the request of Mr. COONS, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 983, a bill to amend the Energy Conservation and Production Act to reauthorize the weatherization assistance program, and for other purposes.

S. 1067

At the request of Ms. HARRIS, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1067, a bill to provide for research to better understand the causes and consequences of sexual harassment affecting individuals in the scientific, technical, engineering, and mathematics workforce and to examine policies to reduce the prevalence and negative impact of such harassment, and for other purposes.

S. 1352

At the request of Mr. CASEY, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Hawaii (Ms. HIRONO), the Senator from Illinois (Ms. DUCKWORTH) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 1352, a bill to establish a Federal Advisory Council to Support Victims of Gun Violence.

S. 1757

At the request of Ms. ERNST, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 1757, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 1902

At the request of Mr. CASEY, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1902, a bill to require the Consumer Product Safety Commission to promulgate a consumer product safety rule for free-standing clothing storage units to protect children from tip-over related death or injury, and for other purposes.

S. 2085

At the request of Ms. ROSEN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2085, a bill to authorize the Secretary of Education to award grants to eligible entities to carry out educational programs about the Holocaust, and for other purposes.

S. 2143

At the request of Ms. WARREN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2143, a bill to amend the Food and Nutrition Act of 2008 to expand the eligibility of students to participate in the supplemental nutrition assistance program, and for other purposes.

S. 2322

At the request of Ms. COLLINS, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2322, a bill to amend the Animal Welfare Act to allow for the retirement of certain animals used in Federal research.

S. 2365

At the request of Mr. UDALL, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2365, a bill to amend the Indian Health Care Improvement Act to authorize urban Indian organizations to enter into arrangements for the sharing of medical services and facilities, and for other purposes.

S. 2417

At the request of Mr. KENNEDY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 2417, a bill to provide for payment of proceeds from savings bonds to a State with title to such bonds pursuant to the judgment of a court.

S. 2561

At the request of Mr. BLUMENTHAL, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2561, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes.

S. 2722

At the request of Ms. ERNST, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 2722, a bill to prohibit agencies from using Federal funds for publicity or propaganda purposes, and for other purposes.

S. 3095

At the request of Ms. WARREN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3095, a bill to develop voluntary guidelines for accessible postsecondary electronic instructional materials and related technologies, and for other purposes.

S. 3146

At the request of Mr. CARDIN, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 3146, a bill to ensure a fair process for negotiations of collective bargaining agreements under chapter 71 of title 5, United States Code.

S. RES. 234

At the request of Mr. MERKLEY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. Res. 234, a resolution affirming the United States commitment to the two-state solution to the Israeli-Palestinian conflict, and noting that Israeli annexation of territory in the West Bank would undermine peace and Israel's future as a Jewish and democratic state.

S. RES. 372

At the request of Mr. UDALL, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. Res. 372, a resolution expressing the sense of the Senate that the Federal Government should establish a national goal of conserving at least 30 percent of the land and ocean of the United States by 2030.

S. RES. 458

At the request of Mr. LANKFORD, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. Res. 458, a resolution calling for the global repeal of blasphemy, heresy, and apostasy laws.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 491—DESIGNATING THE WEEK BEGINNING FEBRUARY 2, 2020, AS ''NATIONAL TRIBAL COLLEGES AND UNIVERSITY WEEK''

Mr. TESTER (for himself, Mr. DAINES, Ms. CANTWELL, Ms. SMITH, Ms. WARREN, Ms. MCSALLY, Mr. CRAMER, Ms. BALDWIN, Mr. UDALL, Ms. KLOBUCHAR, Mr. ROUNDS, Mr. HEINRICH, Mr. BARRASSO, Mr. HOEVEN, Mrs. FISCHER, and Mr. THUNE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 491

Whereas there are 37 Tribal Colleges and Universities operating on more than 75 campuses in 16 States;

Whereas Tribal Colleges and Universities are tribally chartered or federally chartered institutions of higher education and therefore have a unique relationship with the Federal Government;

Whereas Tribal Colleges and Universities serve students from more than 230 federally recognized Indian tribes;

Whereas Tribal Colleges and Universities offer students access to knowledge and skills grounded in cultural traditions and values, including indigenous languages, which—

(1) enhances Indian communities; and

(2) enriches the United States as a nation;

Whereas Tribal Colleges and Universities provide access to high-quality postsecondary educational opportunities for—

(1) American Indians;

(2) Alaska Natives; and

(3) other individuals that live in some of the most isolated and economically depressed areas in the United States;

Whereas Tribal Colleges and Universities are accredited institutions of higher education that prepare students to succeed in the global and highly competitive workforce;

Whereas Tribal Colleges and Universities have open enrollment policies, and approximately 15 percent of the students at Tribal Colleges and Universities are non-Indian individuals; and

Whereas the collective mission and the considerable achievements of Tribal Colleges and Universities deserve national recognition: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning February 2, 2020, as ''National Tribal Colleges and Universities Week''; and

(2) calls on the people of the United States and interested groups to observe National Tribal Colleges and Universities Week with appropriate activities and programs to demonstrate support for Tribal Colleges and Universities.

SENATE RESOLUTION 492—SUPPORTING THE OBSERVATION OF ''NATIONAL GIRLS & WOMEN IN SPORTS DAY'' ON FEBRUARY 5, 2020, TO RAISE AWARENESS OF AND CELEBRATE THE ACHIEVEMENTS OF GIRLS AND WOMEN IN SPORTS

Mrs. FEINSTEIN (for herself, Mrs. MURRAY, Ms. CANTWELL, Ms. MCSALLY, Ms. BALDWIN, Ms. STABENOW, Ms. CORTEZ MASTO, Ms. HIRONO, Ms. ROSEN, Ms. KLOBUCHAR, Mr. DURBIN, Mrs. GILLIBRAND, Ms. SINEMA, Ms. DUCKWORTH, Mrs. SHAHEEN, Ms. COLLINS, Ms. HARRIS, Mr. LEAHY, Ms. SMITH, Ms. HASSAN, and Ms. WARREN) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 492

Whereas athletic participation helps develop self-discipline, initiative, confidence, and leadership skills, and opportunities for athletic participation should be available to all individuals;

Whereas, because the people of the United States remain committed to protecting equality, it is imperative to eliminate the existing disparities between male and female youth athletic programs;

Whereas the share of athletic participation opportunities of high school girls has increased more than sixfold since the enactment of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) (referred to in this preamble as ''title IX''), but high school girls still experience—

(1) a lower share of athletic participation opportunities than high school boys; and

(2) a lower level of athletic participation opportunities than high school boys enjoyed almost 50 years ago;

Whereas female participation in college sports has nearly tripled since the enactment of title IX, but female college athletes still only comprise 44 percent of the total collegiate athlete population;

Whereas, in 1972, women coached more than 90 percent of collegiate women's teams, but now women coach less than 50 percent of all collegiate women teams, and there is a need to restore women to those positions to ensure fair representation and provide role models for young female athletes;

Whereas the long history of women in sports in the United States—

(1) features many contributions made by female athletes that have enriched the national life of the United States; and

(2) includes inspiring figures, such as Gertrude Ederle, Wilma Rudolph, Althea Gibson, Mildred Ella ''Babe'' Didrikson Zaharias, and Patty Berg, who overcame difficult obstacles in their own lives—

(A) to advance participation by women in sports; and

(B) to set positive examples for the generations of female athletes who continue to inspire people in the United States today;

Whereas the United States must do all it can to support the bonds built between all athletes to break down the barriers of discrimination, inequality, and injustice;

Whereas girls and young women in minority communities are doubly disadvantaged because—

(1) schools in minority communities have fewer athletic opportunities than schools in other communities; and

(2) the limited resources for athletic opportunities in minority communities are not evenly distributed between male and female students;

Whereas the 5-time World Cup champion United States Women's National Soccer Team is leading the fight for equal pay for female athletes;

Whereas, with the recent enactment of laws such as the Protecting Young Victims from Sexual Abuse and Safe Sport Authorization Act of 2017 (Public Law 115–126; 132 Stat. 318), Congress has taken steps—

(1) to protect female athletes from the crime of sexual abuse; and

(2) to empower athletes to report sexual abuse when it occurs; and

Whereas, with increased participation by women and girls in sports, it is more important than ever to ensure the safety and well-being of athletes by protecting them from the crime of sexual abuse, which has harmed so many young athletes within youth athletic organizations: Now, therefore, be it

Resolved, That the Senate supports—

(1) observing ''National Girls & Women in Sports Day'' on February 5, 2020, to recognize—

(A) the female athletes who represent schools, universities, and the United States in their athletic pursuits; and

(B) the vital role that the people of the United States have in empowering girls and women in sports;

(2) marking the observation of National Girls & Women in Sports Day with appropriate programs and activities, including legislative efforts—

(A) to ensure equal pay for female athletes; and

(B) to protect young athletes from the crime of sexual abuse so that future generations of female athletes will not have to experience the pain that so many female athletes have had to endure; and

(3) all ongoing efforts—

(A) to promote equality in sports, including equal pay and equal access to athletic opportunities for girls and women; and

(B) to support the commitment of the United States to expanding athletic participation for all girls and future generations of women athletes.

SENATE RESOLUTION 493—TO AUTHORIZE TESTIMONY, DOCUMENTS, AND REPRESENTATION IN UNITED STATES V. STAHLNECKER

Mr. MCCONNELL (for himself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 493

Whereas, in the case of *United States v. Stahlnecker*, Cr. No. 19–394, pending in the United States District Court for the Central District of California, the prosecution has requested the production of testimony, and, if necessary, documents from Sarah Harms, an employee of the office of Senator Sherrod Brown, Leah Uhrig, a former employee of that office, and, Kylie Rutherford, an employee of the office of Senator Shelley Moore Capito;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current and former employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore be it

Resolved, That Sarah Harms and Leah Uhrig, current and former employees, respectively, of Senator Brown's office, and Kylie Rutherford, a current employee of Senator Capito's office, and any other current or former employee of the Senators' offices from whom relevant evidence may be necessary, are authorized to testify and produce documents in the case of *United States v. Stahlnecker*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent any current or former employees of Senators Brown and Capito in connection with the production of evidence authorized in section one of this resolution.

Mr. MCCONNELL. Mr. President, on behalf of myself and the distinguished Democratic leader, Mr. SCHUMER, I send to the desk a resolution authorizing the production of testimony, documents, and representation by the Senate Legal Counsel, and ask for its immediate consideration.

Mr. President, this resolution concerns a request for evidence in a criminal action pending in California Federal district court. In this action, the defendant is charged with making threatening telephone calls last year to the Washington, D.C. offices of Senator SHERROD BROWN and Senator SHELLEY MOORE CAPITO. Trial is scheduled to commence on February 11, 2020.

The prosecution is seeking testimony at trial from three Senate witnesses who received the telephone calls at issue: current employees of Senator BROWN's and Senator CAPITO's offices and a former employee of Senator BROWN's office. Senators BROWN and CAPITO would like to cooperate with this request by providing relevant employee testimony and, if necessary, documents from their offices.

The enclosed resolution would authorize those staffers, and any other

current or former employee of the Senators' offices from whom relevant evidence may be necessary, to testify and produce documents in this action, with representation by the Senate Legal Counsel.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, February 5, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, February 5, 2020, at 10 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, February 5, 2020, at 10 a.m., to conduct a hearing on the following nominations: Kipp Kranbuhl, of Ohio, to be an Assistant Secretary of the Treasury, Sarah C. Arbes, of Virginia, to be an Assistant Secretary of Health and Human Services, and Jason J. Fichtner, of the District of Columbia, to be a Member of the Social Security Advisory Board.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, February 5, 2020, at 9:30 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, February 5, 2020, at 10 a.m., to conduct a closed briefing.

AUTHORIZING TESTIMONY, DOCUMENTS, AND REPRESENTATION IN UNITED STATES V. STAHLNECKER

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 493, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 493) to authorize testimony, documents, and representation in United States v. Stahlnecker.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. 493) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, FEBRUARY 6, 2020, AND MONDAY, FEBRUARY 10, 2020

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11:30 a.m., Thursday, February 6, for a pro forma session only, with no business being conducted; further, that when the Senate adjourns on Thursday, February 6, it next convene at 3 p.m. on Monday, February 10; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Brasher nomination; finally, that notwithstanding the provisions of rule XXII, the cloture motions filed during today's session ripen at 5:30 p.m. on Monday.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 11:30 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:15 p.m., adjourned until Thursday, February 6, 2020 at 11:30 a.m.

EXTENSIONS OF REMARKS

REMEMBERING THOMAS J. McKENNA

HON. HALEY M. STEVENS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Ms. STEVENS. Madam Speaker, I rise today in memory of Tom McKenna, who passed away on December 11th after a courageous battle with two rare forms of leukemia at the age of 78.

Tom was born on August 11, 1941 in Chicago to Charles and Dorothy McKenna. He was a proud south-sider, an avid Notre Dame and Chicago Bears fan, and a passionate golfer.

Tom is survived by his wife Karin of 36 years, daughter Mary Kate Battles, son Matt McKenna, grandson Max Battles, son-in-law Joseph Battles, daughter-in-law Maggie Shine as well as his brothers Chuck, Dan and Jim, and many nieces and nephews. He also leaves behind many dear, wonderful golfing friends at Sand Creek Country Club and the many work friends he made over his 40-year career in the steel industry.

Tom will be remembered for being a fiercely loyal companion, father, grandfather and friend, and for his positive outlook on life. ''Every day is a good day'' was a phrase he said each day, which is a memory that will continue to inspire everyone who knew him.

HONORING BURKE DALTON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Burke Dalton. Burke is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 96, and earning the most prestigious award of Eagle Scout.

Burke has been very active with his troop, participating in many scout activities. Over the many years Burke has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Burke has contributed to his community through his Eagle Scout project. Burke organized and sold memorabilia from the archives of Village of Jameson, Missouri, as a fundraiser for the Village.

Madam Speaker, I proudly ask you to join me in commending Burke Dalton for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING MARY BUTLER

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. THOMPSON of California. Madam Speaker, I rise today to honor Mary Butler and to celebrate her retirement after 27 years of public service to Napa County.

Ms. Butler began her career when she graduated from Sonoma State University with a Bachelor's in Psychology and a Master's in Counseling. Since then, her tenure has been marked by both practicality and purpose. As a crisis worker, she began her career managing children's mental health at the Child Welfare Services Court Unit and supervised behavioral health for their Mental Health Divisions.

In 2002, Ms. Butler led the Napa County Probation Department where she championed important issues like implementing Evidence Based Practice (EBP), a practice designed to identify and treat the reasons people commit crime, and was instrumental in the passing of AB 109, legislation that transferred jurisdiction of juvenile offenders from the state government to the county government. Her passion for restorative justice is a mark of compassion that has set the tone for the future of juvenile justice in Napa County and across the State of California.

As the President of the Chief Probation Officers of California, she was responsible for opening the Napa County Juvenile Justice Center. Through Ms. Butler's efforts and leadership, Napa County has effectively diverted youth offenders from juvenile hall and left significantly more juvenile hall beds empty. And now, after 17 years of service as the Chief Probation Officer, Ms. Butler is the current, longest-tenured Chief in the State of California.

Madam Speaker, thanks to Mary Butler's work, many children have been taught how to succeed regardless of their circumstances. She is a community hero, visionary and an example of public service for us all. It is therefore fitting and proper that we honor Mary Butler here today.

HONORING FRANK OWEN OF CARBONDALE, IL

HON. MIKE BOST

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. BOST. Madam Speaker, I rise today to honor Frank Owen of Carbondale, Illinois upon the celebration of his 100th birthday. Frank has lived an eventful and fruitful life filled with laughs, family, and a commitment to his country and community.

Born January 12, 1920, Frank has collected a century's worth of memories, many of which began with his childhood in and around Carbondale. In fact, his family doctor had to trudge through snow on horseback to reach Frank's mother in labor and help deliver the baby. When World War II broke out, Frank selflessly joined in the effort as a member of the U.S. Navy.

He is widely regarded as a great storyteller who loves to give back to his friends and neighbors. In years past, Frank has visited numerous local schools to tell students about his experiences during the Great Depression and teach them the lessons he learned along the way. He spent his recent birthday celebrating, drinking and eating with his children and dozens of friends at his local church. I can think of no better way to mark a milestone.

Madam Speaker, please join me in recognizing Frank Owen for this great milestone. On behalf of Southern Illinois, happy birthday.

CONGRATULATING DELTACON GLOBAL FOR EARNING THE HIRE VETS MEDALLION DEMONSTRATION AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. OLSON. Madam Speaker, I rise today to congratulate Deltacon Global for earning an Honoring Investments in Recruiting and Employing American Military Veterans (HIRE Vets) Medallion Program Demonstration Award.

As a Navy veteran, I know all too well the incredible sacrifices our veterans make while protecting America from dangers both foreign and domestic, often risking life and limb. Deltacon Global has gone above and beyond helping veterans successfully transition into the private sector at the conclusion of their service.

The Hire Medallion was awarded to Deltacon Global for their efforts recruiting, hiring and training veterans for their business. As our nation's military transition from active duty to veteran status, their skills and talent are needed in our nation's workforce. I'm pleased to see companies like Deltacon Global tapping into this incredible talent.

On behalf of the Twenty-Second Congressional District of Texas, I congratulate Deltacon Global, on their achievement. Their commitment to bettering the lives of our nation's veterans is an inspiring example of the many ways American businesses can thank our veterans for their service by providing them with the dignity of work.

HONORING LACHLAN CHARLES GIBSON

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Lachlan Charles Gibson. Lachlan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 96, and earning the most prestigious award of Eagle Scout.

Lachlan has been very active with his troop, participating in many scout activities. Over the many years Lachlan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Lachlan has contributed to his community through his Eagle Scout project. Lachlan remodeled the concession stand at Dockery Park in Gallatin, Missouri.

Madam Speaker, I proudly ask you to join me in commending Lachlan Charles Gibson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF SACRAMENTO AREA BUSINESS LEADERS

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Ms. MATSUI. Madam Speaker, I rise today to recognize the many outstanding business leaders in California's Capital Region being honored at the Sacramento Metropolitan Chamber of Commerce's 125th annual dinner and business awards ceremony. Those being honored are dedicated to the success of the region and have worked tirelessly to advance its economic vitality. I ask all my colleagues to join me in honoring these fine Sacramentans, and in thanking the Sacramento Metropolitan Chamber of Commerce for its tireless efforts to promote business in northern California.

Kevin Nagle, a businessman, key investor and CEO of the Sacramento Republic FC and minority owner of the Sacramento Kings, is being honored as the 2019 Sacramentan of the Year. Mr. Nagel has demonstrated his commitment to this city year after year, helping to ensure the Kings stayed in Sacramento and taking the Sacramento Republic FC from a startup team to a Major League Soccer organization. Mr. Nagle is a tremendous advocate and has brought a much-needed energy and vigor to our region.

James Beckwith, President & CEO of Five Star Bank since 2003 and Board of Director of the Greater Sacramento Economic Council, is the 2019 Businessman of the Year. Mr. Beckwith serves his clients with an entrepreneurial and empathetic spirit and believes in helping our region grow. Throughout his tenure with Five Star Bank, Mr. Beckwith has invested deeply in our community though not only Five Star Bank, but his involvement in the Sacramento Angels. His work has helped not only Five Star Bank grow but has facilitated success for numerous local startup ventures.

Patricia 'Trish' Rodriguez, Senior Vice President and Area Manager of Kaiser Permanente since 2010 is the 2019 Businesswoman of the Year. A longtime RN, Ms. Rodriguez is responsible for the provision of health care to more than 247,000 Kaiser Permanente members in the South Sacramento County area. Ms. Rodriguez works to improve not only community health, but economic health in our region and in addition to her Board role with the Sacramento Metro Chamber, is a Board Member for the American Heart Association.

The Salvation Army is being inducted into the Centennial Business Hall of Fame. Started in 1865, the Salvation Army aims to reach our most vulnerable community members through a variety of compassionate services. From youth programs, to adult rehabilitation centers, the Salvation Army provides services to community members at every stage of their lives. They have locations in virtually every section of the world, helping in over 100 hundred countries.

Honey has been named the 2019 Small Business of the Year. Founded in 2008, the female-led design and marketing studio has expertise in food, beverage, and agriculture industries. Honey is committed to creating the best and most aesthetic designs for their clients and are passionate about their craft. They have been developing designs for over ten years for industries such as winemakers, restaurants, events, and cannabis.

Debra Oto-Kent, Founder and Executive Director of the Health Education Council, is receiving the 2019 Al Geiger Memorial Award. She founded the Council over twenty-eight years ago in order to reduce health disparities between communities. The Council builds partnerships with existing institutions in order to share resources and knowledge across the greater health community.

Bill Mueller, CEO of Valley Vision, is receiving the 2019 Peter McCuen Award for Civic Entrepreneurs. For thirteen years, Mr. Mueller has taken on complex challenges and has pushed community inspired and researched based solutions through his role of CEO. He has had a big role in improving the Sacramento area's diverse communities.

Verna Sulpizio Hull, Director of Strategic Partnerships at Visit Sacramento, is the 2019 Metro EDGE Young Professional of the Year. Verna has been working to integrate local partnerships and businesses into Sacramento's tourism economy allowing for higher revenues and a larger growth in Sacramento's economy.

Madam Speaker, I am honored to recognize these individuals and businesses for their contributions to the Sacramento region that I love. I ask all my colleagues to join me in commending them for their unwavering commitment to the Sacramento region.

CONGRATULATING ASHLEY LIN ON BECOMING A DISTINGUISHED FINALIST IN THE PRUDENTIAL SPIRIT OF COMMUNITY AWARDS PROGRAM

HON. JAIME HERRERA BEUTLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Ms. HERRERA BEUTLER. Madam Speaker, I rise today to recognize and congratulate Ashley Lin of Vancouver, Washington, on becoming a distinguished finalist and top volunteer in the 2020 Prudential Spirit of Community Awards program.

These annual awards were founded in 1995 to highlight individuals' service to our communities, and to encourage younger members of this nation to continue this tradition early on and throughout their lives.

Ashley, a junior at Union High School in Southwest Washington, founded and runs the organization ''Project Exchange.'' This organization has been central in recruiting participants, designing curriculum, and securing funding to bring cross-cultural learning experiences to 250 middle and high school students from over 20 countries. She attributes the motivation to create this program to her time serving as a U.S. Youth Ambassador to Uruguay.

Once again, I want to extend my sincerest congratulations to Ashley on becoming a distinguished finalist in this program. I also applaud Ashley for bringing these opportunities to students from all over the world, and enhancing their educational experiences.

HONORING GABRIEL HACKING

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Gabriel Hacking. Gabriel is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 96, and earning the most prestigious award of Eagle Scout.

Gabriel has been very active with his troop, participating in many scout activities. Over the many years Gabriel has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Gabriel has contributed to his community through his Eagle Scout project. Gabriel rehabilitated the rear entrance of the Active Aging Resource Center in Gallatin, Missouri, clearing weeds and painting the back and side walls of the building.

Madam Speaker, I proudly ask you to join me in commending Gabriel Hacking for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING PASSAIC CHIEF OF POLICE LUIS GUZMAN

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. PASCRELL. Madam Speaker, I rise on this year's Dominicans on the Hill Day to recognize an invaluable member of the City of Passaic community, Chief of Police Luis Guzman. Chief Guzman is an accomplished, twenty-nine-year veteran of the City of Passaic Police Department, where he rose through the ranks to be appointed as the first ever Dominican-born Chief of Police of the City of Passaic on July 10, 2017.

Chief Guzman began his law enforcement career as a correction officer with the Passaic County Sheriff's Department in January 1990. Later that year he was hired as a police officer by the City of Passaic, becoming the first Dominican-born officer in the city's history. While in the New Jersey State Police Academy, he received the Distinguished Graduate Award for ranking at the top of his class. He served as a beat officer for the subsequent three years and a patrol officer for the next four before being assigned to the Detective Bureau in the Passaic County Sheriff's Department as a criminal investigator.

In February 2000, Chief Guzman was promoted to Sergeant and assigned to supervise detectives, concurrently working in the patrol division of his department's Community Policing Unit. In October 2004, he was promoted to Lieutenant, where he held the position of Commander of several patrol shifts, the Detective Bureau, and the Internal Affairs Division.

In September 2011, Chief Guzman was promoted to Captain and was assigned to commander of all uniformed divisions. In October 2013, he was promoted to Deputy Chief and assigned to oversee the operations division. In July 2017, Chief Guzman was made the first ever Dominican-born Chief of Police in the City of Passaic, promoted by Mayor Hector Carlos Lora, also of Dominican heritage.

During his tenure at the helm of the Passaic Police Department, Chief Guzman has managed a department that has presided over a substantial reduction in crime.

For over twenty-five years, Chief Guzman has given back to his community through one of his foremost passions, baseball. Chief Guzman has volunteered to coach youth baseball from T-ball to the American Legion League in the City of Passaic. He has regularly organized police softball and basketball games with members of the City of Passaic community.

Chief Guzman has further demonstrated his spirit of giving back through his time as an adjunct professor at Passaic County Community College, where he has taught Criminal Justice for the past fifteen years.

As Co-Chair of the Congressional Law Enforcement Caucus, I am honored to recognize Chief Luis Guzman, who has been a tremendous leader, mentor, and public servant in the City of Passaic.

Madam Speaker, I ask that you join our colleagues, Chief Guzman's coworkers, family and friends, all those whose lives he has touched, and me, in recognizing the tireless dedication and steadfast service of Chief of Police Luis Guzman.

HONORING THE LIFE OF ROBERT ''BOB'' M. SANDERS

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. COSTA. Madam Speaker, I rise today to pay tribute to the life of my friend, Mr. Robert ''Bob'' M. Sanders, who passed away on December 17, 2019. Bob was a selfless public servant and hardworking American citizen, who left an impact on those who had the pleasure of knowing him.

Bob was born in Tulare, California and raised in Merced. He graduated from Merced High School and went on to attend California Polytechnic University, San Luis Obispo. Bob joined the California National Guard and attended artillery school in Fort Still, Oklahoma. On his flight home after his initial service, he was seated next to California Assemblyman Gordan Winton, which would send his career path in a new direction. Assemblyman Winton hired Bob as his aide in his Sacramento office and he also worked on his campaign in 1966. After Assemblyman Winton declined to run for reelection, Bob ran for the seat himself. During the 1968 California primary, Bob traveled the Central Valley with presidential candidate Robert Kennedy, one of his most treasured memories.

Bob met the love of his life, Suzanne White while they both worked for the United Teachers of Los Angeles. Bob eventually moved on to work as Chief of Staff for Los Angeles City Councilman Zev Yaroslavsky. Later in life, he worked for Rusty Areias and served as my first district director after my election to the House of Representatives. Assembly Speaker's Office and the Senate Democratic Caucus. Bob's impressive career made him a well-respected figure in California politics.

Outside of politics, Bob enjoyed poetry, sports, and wrote scripts, directed and did voiceovers for military training films. Bob loved his family most of all and enjoyed being around his beloved friends. His knowledge of political trivia and baseball statistics was unmatched.

Bob was preceded in death by his father Marvin, mother Anna, and his younger sister, Jo Anna.

Bob is survived by his wife, Suzanne, daughter Erica, by his brothers Jim and Jeff, and his many cousins, nieces, and nephews.

Madam Speaker, I ask my colleagues to join me in honoring the life of my dear friend, Robert ''Bob'' M. Sanders. His commitment and dedication to the State of California was clear. We join his family and friends in honoring his great life.

HONORING LAURALYN CASTLE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. THOMPSON of California. Madam Speaker, I rise today to honor Lauralyn Castle for years of extraordinary public service and to celebrate her retirement from the Sonoma County Veterans Services Office.

Mrs. Castle attended Sacramento State University where she earned a Bachelor of Science in Communications. She has used her ability to connect with others in her important work at the Sonoma County Veterans Services Office. As the Senior Veterans Service Specialist, Mrs. Castle has spent over a decade supporting and encouraging veterans and their families in meaningful and lasting ways. She recognizes the incredible sacrifices that our nation's men and women in uniform make, and she works tirelessly each day to ensure that every veteran receives the proper care and benefits that they are entitled to.

Mrs. Castle is extraordinary in many ways. She consistently makes time to serve in various capacities in our community. She has spent years helping those that struggle with addiction as a mentor for Alcoholics Anonymous. She is an active member in her local church congregation where she enjoys serving as a liturgist. Those who know her best say that she is direct and honest. She has a big heart and is willing to do everything in her power to help the people around her.

Madam Speaker, Mrs. Castle is the kind of citizen we should all strive to be. Her retirement marks the end of a decade of committed service. Though her important contributions at Sonoma County Veterans Services Office will be greatly missed, we know and trust that she will continue to devote her time and energy to serving all in our community. It is therefore fitting and proper that we honor her here today.

HONORING ZAYDEN HACKING

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Zayden Hacking. Zayden is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 96, and earning the most prestigious award of Eagle Scout.

Zayden has been very active with his troop, participating in many scout activities. Over the many years Zayden has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Zayden has contributed to his community through his Eagle Scout project. Zayden rehabilitated the back alley and storage area of the Gallatin Theater League in Gallatin, Missouri, pulling weeds, painting trim, leveling stairs, and removing 40 years' worth of debris that had accumulated around the storage shed.

Madam Speaker, I proudly ask you to join me in commending Zayden Hacking for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING JERRY BROOKS

HON. GREG STANTON

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. STANTON. Madam Speaker, I rise to honor the life and legacy of Jerry Brooks, former mayor of Chandler, Arizona, who

passed away Tuesday, January 14, 2020. A Vietnam veteran and renaissance man, Mayor Brooks served in the U.S. military for 30 years. His greatest legacy as mayor was establishing the Chandler Performing and Visual Arts Center, a welcoming and innovative performance space that bonds our community together through arts and culture.

Jerrell W. Brooks was born in San Antonio, Texas, on November 23, 1930, to Marion and Viola Brooks. After moving to Arizona as a child, Brooks attended Phoenix Union High School. Just shy of graduation, Brooks enlisted in the U.S. Marines after being inspired by those who served in the second World War. After his discharge in 1950, Brooks returned to Arizona and completed a construction engineering degree at Arizona State University in 1954. Following graduation, he was commissioned in the U.S. Air Force through the university's ROTC program. Brooks retired as a colonel after serving in Vietnam, in 1977 after 30 years of service.

Brooks moved to Chandler in his retirement and began to observe that the city's infrastructure could not keep pace with rapid growth and development in the community. It inspired him to become active in local politics. Brooks won a seat on the Chandler City Council in 1982 and was elected mayor just two years later. True to his word, during his four-year term as mayor, Mayor Brooks paved roads, built infrastructure, and annexed land in south Chandler to build new streets and utility infrastructure to serve future residents of the city.

His lasting legacy and the crown jewel of Chandler is the Chandler Performing and Visual Arts Center. Mayor Brooks advocated and fought for a performing arts center that would attract new employers, entertainers, and families to Chandler and transfonn a quiet agricultural town into a thriving, family-friendly, diverse and welcoming community. He lived to see his vision come to fruition. Future generations of Chandler residents will undoubtedly be affected by the cultural opportunities available in their own city thanks to Mayor Brooks' vision for the Center.

Thank you to Mayor Brooks, and Godspeed.

RECOGNIZING THE 30TH ANNIVERSARY OF VISIT HUNTINGTON BEACH

HON. HARLEY ROUDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. ROUDA. Madam Speaker, I rise today to recognize and congratulate Visit Huntington Beach on the celebration of its 30th Anniversary and the opening of a new office.

Visit Huntington Beach was formed in 1989 as a destination marketing program and has grown into the only local organization charged with the responsibility of promoting tourism and encouraging its continued growth in the City. Its mission is to use Huntington Beach's Surf City USA brand to maintain the City's status as the quintessential California beach destination. Since its founding thirty years ago, Visit Huntington Beach has successfully lived up to this mission and showed the wonders of Huntington Beach to the country and the world.

In 2018 alone, overnight visitors generated $91 million in tax revenue and generated nearly $20 million for the City's general fund. This revenue is vital to funding critical community services, such as police, fire, public works, and parks.

I ask all Members to join me in recognizing the extraordinary work and contributions of Visit Huntington Beach and their efforts to ensure a better and more efficient experience for both visitors and residents of Huntington Beach.

HONORING CARLETON D. NASH III

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Carleton D. Nash III. Carleton is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 96, and earning the most prestigious award of Eagle Scout.

Carleton has been very active with his troop, participating in many scout activities. Over the many years Carleton has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Carleton has contributed to his community through his Eagle Scout project. Carleton constructed a playground for Cainsville R–1 Preschool in Cainsville, Missouri.

Madam Speaker, I proudly ask you to join me in commending Carleton D. Nash III for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

COMMITTEE JURISDICTION ON H.R. 3851, THE TRAVEL PROMOTION, ENHANCEMENT, AND MODERNIZATION ACT

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. PALLONE. Madam Speaker, I include in the RECORD an exchange of correspondence between myself and Chairman BENNIE THOMPSON acknowledging the Committee on Homeland Security's agreement to waive consideration of H.R. 3851 did not in any way diminish or alter the Committee's jurisdiction on this or similar legislation in the future.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, January 13, 2020.

Hon. FRANK PALLONE,
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: I write to you regarding H.R. 3851, the ''Travel Promotion, Enhancement, and Modernization Act of 2019.''

H.R. 3851 contains provisions that fall within the jurisdiction of the Committee on Homeland Security. I share your interest in seeing this legislation implemented and accordingly, I will not seek a sequential referral of the bill. However, agreeing to waive consideration of this bill should not be construed as the Committee on Homeland Security waiving, altering, or otherwise affecting its jurisdiction over subject matters contained in the bill which fall within its Rule X jurisdiction.

I would also ask that a copy of this letter and your response be included in the legislative report on H.R. 3851 and in the Congressional Record.

I look forward to working with you on this and other important legislation in the future.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, January 16, 2020.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security, Washington, DC.

DEAR CHAIRMAN THOMPSON: Thank you for consulting with the Committee on Energy and Commerce and agreeing to be discharged from further consideration of H.R. 3851, the Travel Promotion, Enhancement, and Modernization Act.

As you know, this legislation became law as part of P.L. 116–94, the Further Consolidated Appropriations Act, 2020. I agree that your forgoing further action on this measure did not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I agree that your Committee will be appropriately consulted and involved if similar legislation moves forward.

I will place our letters on H.R. 3851 into the Congressional Record. I appreciate your cooperation regarding this legislation and look forward to continuing to work together.

Sincerely,

FRANK PALLONE, Jr.,
Chairman.

CONGRATULATING LORI CHRISTIAN ON BECOMING A DISTINGUISHED FINALIST IN THE PRUDENTIAL SPIRIT OF COMMUNITY AWARDS PROGRAM

HON. JAIME HERRERA BEUTLER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Ms. HERRERA BEUTLER. Madam Speaker, I rise today to recognize and congratulate Lori Christian of Chehalis, Washington, on becoming a distinguished finalist and top volunteer in the 2020 Prudential Spirit of Community Awards program.

These annual awards were founded in 1995 to highlight individuals' service to our communities, and to encourage younger members of this nation to continue this tradition early on and throughout their lives.

Lori, a junior at ''William F. West High School'' in Southwest Washington, founded the organization ''Teens for Abused Children (TFAC)'', which works with local hospitals and Child Protective Services to assist with cases involving abused children. Lori has also worked independently to raise awareness for related issues. She has also organized community toy, clothing, and diaper drives.

Once again, I want to extend my sincerest congratulations to Lori on becoming a distinguished finalist in this program and applaud Lori's commitment to improving her community.

HONORING JONATHAN FARRELL STOOR

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Jonathan Farrell Stoor. Jonathan is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 96, and earning the most prestigious award of Eagle Scout.

Jonathan has been very active with his troop, participating in many scout activities. Over the many years Jonathan has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jonathan has contributed to his community through his Eagle Scout project. Jonathan worked in Ketren Cemetery in Gallatin, Missouri, mowing and cleaning up the property, repaired broken headstones, and logged the gravesites into an online portal for genealogical researchers.

Madam Speaker, I proudly ask you to join me in commending Jonathan Farrell Stoor for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING JANICE DUNNE FOR HER DEDICATED SERVICE TO THE COMMUNITY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. HIGGINS of New York. Madam Speaker, the Erie County Democratic Committee will gather on Friday, February 7th to honor Janice Dunne with the Joseph F. Crangle Legacy Award. The award is named for our legendary former county and state chairman and is the gold standard for local Democrats; it rightfully raises Janice's name among the great leaders of our party and commemorates her service both to her community and to the Democratic Party.

Janice has played an integral role in her hometown Democratic committee for the last forty years, as a member of its Nominating Committee, Executive Committee, and Vice Chair. Never afraid to get her hands dirty, Janice engages in all aspects of grassroots political work from campaigning and canvassing, to fundraising and recruiting new members to the party.

Ms. Dunne has been on the frontlines of local, state, and national campaigns since she became involved in politics in 1980. Throughout her career, she has singlehandedly collected thousands of signatures door-to-door, planted hundreds of yard signs, raised thousands of dollars for local candidates, and labored tirelessly on the issues central to the Democratic Party platform.

In 1992, Janice made her way to public office as Town of Amherst Deputy Clerk, a title she would hold for the next five years. From there, she worked in the Amherst Town Supervisor's office until she ultimately retired from town government in 1999. Even though she was no longer working directly in local government, Janice's passion for public service did not wane.

Janice went on to serve as a delegate in multiple National Democratic Conventions. Janice was elected to travel to New York City in 1992 to be a delegate for Jerry Brown. Eight years later, she ran again and was elected to attend the convention in Los Angeles as a delegate for Bill Bradley. She was reelected once more in 2008 to be a delegate for then Senator Obama at the National Democratic Convention in Denver.

Although she has officially retired, Janice still spends her time serving the community as one of the founding members of the Eggertsville Community Organization. As a member of the ECO Steering Committee, Janice works to reinvigorate Eggertsville by enforcing often ignored building codes and partnering with the Town of Amherst to begin the construction of a community center in Eggertsville. Beyond these efforts, she is a clerk at the local Board of Elections and serves as a member of the Amherst Democratic Committee and the Erie County Executive Committee.

Janice accumulated a lifetime's worth of accomplishments while simultaneously raising two beautiful daughters: Valerie, an accomplished local photographer, and Tricia, who works in the Erie County Probation Office. Janice's dedication to her country, her community, her family, and her party represents all that is great about Western New York, and I am thankful for the opportunity to honor her and to have the House take note of the many positive contributions she has made throughout our community.

LIFE AND LEGACY OF HON. JOHN BUCKNER

HON. JOE NEGUSE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. NEGUSE. Madam Speaker, the Cherry Creek Schools Board of Education recently named the Honorable John Buckner as one of the newest inductees to the Legacy Stadium Educational Leadership Wall of Fame. This honor is so very well-earned, and I join in Cherry Creek Schools' lauding of Mr. Buckner's life and legacy.

State Representative Buckner served as a principal in Colorado schools for decades and was a lifelong advocate for equal access to meaningful education for every student across our state, including by leading his district's work in the areas of equity and inclusive excellence and as Chair of the House Education Committee. He carried these values not only as a school administrator, but also throughout his time as a member of the Colorado State House. As one example of his countless substantial contributions, in the 2014 state legislative session he sponsored the annual school finance bill and successfully increased funding for English language learners and created an additional 5,000 pre-K and full-day kindergarten slots for at-risk children.

Rep. Buckner was a mentor to countless Coloradans, myself included. He served his community with dedicated grace and thoughtful policymaking, and set an example for what steadfast, meaningful leadership looks like for so many future leaders. That legacy continues each day through Rep. Buckner's wife Janet who, since his passing in 2015, has held his State House seat and taken up the mantle on countless issues that John championed.

I am so pleased that Rep. Buckner is receiving this well-earned honor, and I join in this recognition alongside so many people and organizations in Colorado who continue to benefit from the leadership he demonstrated each and every day.

IN RECOGNITION OF MRS. ANNE COX CHAMBERS UPON HER DEATH

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. JOHNSON of Georgia. Madam Speaker, I want to recognize the life and accomplishments of Anne Cox Chambers, who passed away on Friday, January 31, 2020, at the age of 100.

Mrs. Anne Cox Chambers was a member of the namesake Atlanta-based media company, Cox Enterprises—an instrumental medium for news reporting, talk shows, music, and sports in Georgia and across the country. She took on a leadership role in Cox as a member of the Cox Board of Directors and as the chairwoman of Atlanta Newspapers.

She took her knowledge and expertise from those roles to pave new roads for women in Georgia: She became Atlanta's first female bank director when she joined the board of Fulton National Bank, and she was the first woman to serve as a director of the Atlanta Chamber of Commerce.

During her life, she chose to give back every way she could, becoming a philanthropist for causes close to her heart. Mrs. Chambers supported institutions that many Atlanta citizens enjoy today, like the Atlanta Symphony Orchestra, the Atlanta Botanical Garden, the Atlanta Speech School, the High Museum of Art, and the Atlanta Humane Society. Her support for the latter culminated in the honor of its annual award bearing her name, the Anne Cox Chambers Humane Heroine award.

Anne embodied what it meant to be a public servant. Under President Jimmy Carter, she was appointed Ambassador to Belgium. Her work led to a stronger relationship between the United States, Georgia, and Belgium. Belgium's King Baudouin I recognized her contributions by presenting her with the Order of the Crown, one of Belgium's highest honors.

While Mrs. Chambers may be gone, her legacy will not be forgotten. Her love and service for Georgia and her country were inspirational and her leadership as a woman paved the way for other women who will come after her. She set an example for us all of what it means to be someone who gives more to others than she takes in return.

I want to offer my deepest condolences to the extended family and friends of Anne Cox Chambers during this time.

HONORING DR. AMARJIT SINGH MARWAH

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. SHERMAN. Madam Speaker, on the occasion of his 94th birthday, I rise today to honor Dr. Amarjit Singh Marwah, a pioneer in the Indian American community and a Los Angeles civic icon.

Since coming to the United States in 1953 as a Fulbright scholar, Dr. Marwah has been a trailblazer. Drawing on an educational pedigree that included fellowships from the Guggenheim Foundation, the University of Illinois, Chicago (where he pursued an MS in Pathology), Howard University (where he completed a two-year program in Doctor in Dental Surgery), and a professorship at the University of Southern California, Dr. Marwah became the first Indian doctor in the United States to obtain a license to practice dentistry.

Dr. Marwah also helped make U.S. history through his work on Dalip Singh Saund's congressional campaign. As a young aide to the candidate, Dr. Marwah helped propel Saund to victory in the 1956 election, ushering in the first Sikh American, the first Indian American and the first Asian American ever elected to the U.S. Congress.

Being a pioneer, Dr. Marwah has worked to encourage and grow the nascent Sikh American community of Southern California, of which he is a member. For many years, his Baldwin Hills home served as a place of respite for the immigrant community; and Dr. Marwah founded just the third Sikh Temple in the United States, whose location in Hollywood now bears the name ''Dr. Amarjit Singh Marwah Square.''

As a friend and advisor of Los Angeles Mayor Tom Bradley, Dr. Marwah made an indelible mark on Los Angeles civic life. Dr. Marwah was appointed a Los Angeles City Commissioner in 1975 and served for 18 years. He chaired the Cultural Heritage Commission and the Hollywood Art Commission, and he helped to preserve over 300 sites, including the Walk of Fame and the Roosevelt Hotel.

As a public servant, a leader in the Indian American community and a philanthropist, Dr. Marwah has made a positive impact on countless people around the world. Dr. Marwah was supported in all these endeavors by his late wife, Kuljit Kaur Marwah, as well as his three daughters and their spouses and grandchildren.

I wish my friend Dr. Amarjit Singh Marwah a very happy and healthy 94th birthday.

HONORING KERRY SMITH

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize Kerry Smith for years of exceptional public service to the young people of Lake County, California and to honor her as the Lake County Teacher of the Year.

Ms. Smith was born and raised in Lake County, California. She graduated from Kelseyville High School before earning her AA in Child Development at Santa Rosa Junior College. She attended Sonoma State University, where she graduated with a degree in Environmental Studies and a Multiple Subject Teaching Credential with an emphasis in early childhood education. These outstanding credentials coupled with her passion and diligence enable Ms. Smith to connect with her students and enlarge their understanding.

Kerry Smith is outstanding in many ways. As a Resource Teacher for students grades six through eight at Mountain Vista Middle School, it is Ms. Smith's responsibility to provide support to students who need additional help in math. In this role, she has spearheaded a model that allows a collaboration of math teachers to help struggling students. This approach has been so successful that nearly all her students are no longer in need of additional help and are performing well in their respective math classes. She not only has the instructional skills required to be a highly effective teacher, but also holds those intangible qualities that are at the heart of a successful educator. She is beloved by her students, often described as funny, kind, exciting, friendly, and positive.

Ms. Smith is a natural leader. She has mentored many new educators throughout her career and continues to inspire those around her with her joyful attitude and dedication to her students. Teachers travel from across the school district to observe Ms. Smith in her classroom and they always leave impressed. She is the model of a lifelong learner, one that is constantly striving to improve her own practice and eager to try a new approach.

Madam Speaker, there is not another individual who exemplifies the profession of teaching better than Kerry Smith. It is therefore fitting and proper that we honor Ms. Kerry Smith here today.

RECOGNIZING AIDAN COHEN AS CONSTITUENT OF THE MONTH

HON. MIKE LEVIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2020

Mr. LEVIN of California. Madam Speaker, it's my honor to recognize 17-year old North County resident, Aidan Cohen, as my Constituent of the Month for January. In a moment of quick instinct, Aidan heroically rushed to help his next door neighbor, pulling him from his burning home and saving his life.

On the evening of December 12, 2019, Aidan Cohen and his older brother Ryan were enjoying a late-night snack when the power suddenly went out. Soon after, the brothers heard an explosion and rushed outside to find their next door neighbor's home engulfed in flames.

The brothers shouted the owner's name, but received no response. Overcome by smoke he had collapsed on the hallway floor. Aidan spotted him through a window, and without hesitation, broke the back door open and pulled the neighbor out to safety.

Everyone involved was grateful for our local first responders who were on the scene minutes later to administer first aid to the neighbor and save Aidan's family home.

I launched a Constituent of the Month program to recognize individuals who have gone above and beyond to make our region a stronger place for everyone to live and thrive. Aidan's selflessness is an extraordinary reminder that in severe times of need, setting aside our own fears to assist one another is a crucial foundation of community. I thank Aidan for being an exemplary model of true neighborly kindness in California's 49th District.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 6, 2020 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 11

9:30 a.m.

Committee on Armed Services

To hold hearings to examine United States strategy in Afghanistan.

SD–G50

Committee on Homeland Security and Governmental Affairs

To hold hearings to examine a roadmap for effective cybersecurity, focusing on what states, locals, and the business community should know and do.

SD–342

10 a.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Manufacturing, Trade, and Consumer Protection

To hold hearings to examine the state of intercollegiate athlete compensation.

SD–106

Committee on the Judiciary

To hold hearings to examine ensuring appropriate medical care for children.

SD–226

2:30 p.m.

Committee on Homeland Security and Governmental Affairs

Subcommittee on Federal Spending Oversight and Emergency Management

To hold hearings to examine the Afghanistan Papers, focusing on costs and benefits of America's longest war.

SD–342

Committee on the Judiciary

Subcommittee on Intellectual Property

To hold hearings to examine the Digital Millennium Copyright Act at 22, focusing on what it is, why was it enacted, and where are we now.

SD–226

FEBRUARY 12

9:30 a.m.
Committee on Homeland Security and Governmental Affairs
To hold hearings to examine protecting the United States from global pandemics.
SD–342

10 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine the Semiannual Monetary Policy Report to the Congress.
SD–538
Committee on Commerce, Science, and Transportation
To hold hearings to examine space missions of global importance, focusing on planetary defense, space weather protection, and space situational awareness.
SH–216
Committee on the Judiciary
To hold hearings to examine pending nominations.
SD–226

10:15 a.m.
Committee on Foreign Relations
To hold hearings to examine United States-Libya policy.
SD–419

FEBRUARY 13

10 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine the nominations of Jessie K. Liu, of Virginia, to be Under Secretary for Terrorism and Financial Crimes, Department of the Treasury, and Judy Shelton, of California, and Christopher Waller, of Minnesota, both to be a Member of the Board of Governors of the Federal Reserve System.
SD–538

FEBRUARY 25

10 a.m.
Committee on Banking, Housing, and Urban Affairs
To hold hearings to examine surface transportation reauthorization, focusing on public transportation stakeholders' perspectives.
SD–538

Daily Digest

HIGHLIGHTS

Senate sitting as a Court of Impeachment adjudged President Trump not guilty as charged in Impeachment Articles I and II.

Senate

Chamber Action

Routine Proceedings, pages S871–S945

Measures Introduced: Five bills and three resolutions were introduced, as follows: S. 3254–3258, and S. Res. 491–493. **Page S942**

Measures Passed:

Authorizing Testimony, Documents, and Representation: Senate agreed to S. Res. 493, to authorize testimony, documents, and representation in *United States v. Stahlnecker*. **Page S945**

Measures Considered:

Impeachment of President Trump: Senate, sitting as a Court of Impeachment, resumed consideration of the articles of impeachment against Donald John Trump, President of the United States, taking the following actions: **Pages S936–39**

Article I, that in his conduct of the office of President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald J. Trump has abused the powers of the Presidency. (Vote No. 33) 48 guilty, 52 not guilty, two-thirds of the Senators present not having pronounced him guilty, the Senate adjudges that Donald John Trump, President of the United States, is not guilty as charged in this article. **Pages S936–37**

Article II, that in his conduct of the office of President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald J. Trump has directed the unprecedented, categorical, and indiscriminate defiance of subpoenas issued by the House of Representatives pursuant to its "sole Power of Impeachment". President Trump has abused the powers of the Presidency in a manner offensive to, and subversive of, the Constitution. (Vote No. 34) 47 guilty, 53 not guilty, two-thirds of the Senators present not having pronounced him guilty, the Senate adjudges that Donald John Trump, President of the United States, is not guilty as charged in this article. **Pages S937–38**

The Senate, having tried Donald John Trump, President of the United States, upon two articles of impeachment exhibited against him by the House of Representatives, and two-thirds of the Senators present not having found him guilty of the charges contained therein: it is, therefore, ordered and adjudged that the said Donald John Trump be, and he is hereby, acquitted of the charges in said articles. **Page S938**

Ordered, that the Secretary of the Senate be directed to communicate to the Secretary of State, as provided by Rule XXIII of the Rules of Procedure and Practice in the Senate. When Sitting on Impeachment Trials, and also to the House of Representatives, the judgment of the Senate in the case of Donald John Trump, and transmit a certified copy of the judgment to each. **Page S938**

The Court of Impeachment adjourned sine die at 4:42 p.m. **Page S939**

Brasher Nomination—Cloture: Senate began consideration of the nomination of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit. **Page S939**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Wednesday, February 5, 2020, a vote

on cloture will occur at 5:30 p.m., on Monday, February 10, 2020. **Pages S939, S945**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S939**

A unanimous-consent agreement was reached providing that at approximately 3:00 p.m., on Monday, February 10, 2020, Senate resume consideration of the nomination; and that notwithstanding the provisions of Rule XXII, the cloture motions filed on Wednesday, February 5, 2020 ripen at 5:30 p.m. on Monday, February 10, 2020. **Page S945**

Kindred Nomination—Cloture: Senate began consideration of the nomination of Joshua M. Kindred, of Alaska, to be United States District Judge for the District of Alaska. **Page S939**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit. **Page S939**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S939**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S939**

Schelp Nomination—Cloture: Senate began consideration of the nomination of Matthew Thomas Schelp, of Missouri, to be United States District Judge for the Eastern District of Missouri. **Page S939**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Joshua M. Kindred, of Alaska, to be United States District Judge for the District of Alaska. **Page S939**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S939**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S939**

Kness Nomination—Cloture: Senate began consideration of the nomination of John Fitzgerald Kness, of Illinois, to be United States District Judge for the Northern District of Illinois. **Pages S939–40**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Matthew Thomas Schelp, of Missouri, to be United States District Judge for the Eastern District of Missouri. **Pages S939–40**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S939**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S939**

Halpern Nomination—Cloture: Senate began consideration of the nomination of Philip M. Halpern, of New York, to be United States District Judge for the Southern District of New York. **Page S940**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of John Fitzgerald Kness, of Illinois, to be United States District Judge for the Northern District of Illinois. **Page S940**

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Legislative Session. **Page S940**

Senate agreed to the motion to proceed to Executive Session to consider the nomination. **Page S940**

Executive Communications: **Pages S941–42**

Additional Cosponsors: **Pages S942–43**

Additional Statements: **Page S941**

Authorities for Committees to Meet: **Page S945**

Record Votes: Two record votes were taken today. (Total—34) **Pages S937–38**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 5:15 p.m., until 11:30 a.m. on Thursday, February 6, 2020. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S945.)

Committee Meetings

(Committees not listed did not meet)

ATHLETE SAFETY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine athlete safety and the integrity of U.S. Sport, after receiving testimony from Ju'Riese Colon, U.S. Center for SafeSport, Denver, Colorado; Tory Lindley, Northwestern University, Carrollton, Texas, on behalf of the National Athletic Trainers' Association; and Travis T. Tygart, United States Anti-Doping Agency, Colorado Springs, Colorado.

FISH AND WILDLIFE SERVICE OVERSIGHT

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine the Fish and Wildlife Service, after receiving testimony from Robert Wallace, Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of Kipp Kranbuhl, of Ohio, to be an Assistant Secretary of the Treasury, Sarah C. Arbes, of Virginia, to be an Assistant Secretary of Health and Human Services, who was introduced by Senator Alexander, and Jason J. Fichtner, of the District of Columbia, to be a Member of the Social Security Advisory Board, after the nominees testified and answered questions in their own behalf.

VA MISSION ACT

Committee on Veterans' Affairs: Committee concluded a hearing to examine the VA MISSION Act, focusing on the implementation of the Community Care Network, after receiving testimony from Richard A. Stone, Executive in Charge, Kameron Matthews, Assistant Under Secretary for Health for Community Care, and Jennifer MacDonald, VA MISSION Act Lead, all of the Veterans Health Administration, Department of Veterans Affairs; Adrian Atizado, Disabled American Veterans Deputy National Legislative Director, Washington, D.C.; Lieutenant General Patricia D. Horoho, USA (Ret.), OptumServe, Falls Church, Virginia; and David J. McIntyre, Jr., TriWest Healthcare Alliance, Phoenix, Arizona.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 12 public bills, H.R. 5756–5767; and 2 resolutions, H. Con. Res. 87; and H. Res. 832, were introduced. **Page H847**

Additional Cosponsors: **Page H848**

Reports Filed: Reports were filed today as follows:

H.R. 3941, to enhance the innovation, security, and availability of cloud computing services used in the Federal Government by establishing the Federal Risk and Authorization Management Program within the General Services Administration and by establishing a risk management, authorization, and continuous monitoring process to enable the Federal Government to leverage cloud computing services using a risk-based approach consistent with the Federal Information Security Modernization Act of 2014 and cloud-based operations, and for other purposes, with an amendment (H. Rept. 116–391); and

H. Res. 833, providing for consideration of the resolution (H. Res. 826) expressing disapproval of the Trump administration's harmful actions towards Medicaid; providing for consideration of the bill (H.R. 2474) to amend the National Labor Relations Act, the Labor Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act of 1959, and for other purposes; and providing for consideration of the bill (H.R. 5687) making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes (H. Rept. 116–392). **Page H847**

Speaker: Read a letter from the Speaker wherein she appointed Representative Cuellar to act as Speaker pro tempore for today. **Page H767**

Recess: The House recessed at 11 a.m. and reconvened at 12 noon. **Page H773**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Rabbi Seth Frisch, New Shul of America, Rydal, Pennsylvania. **Pages H773–74**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Puppies Assisting Wounded Servicemembers for Veterans Therapy Act: H.R. 4305, amended, to direct the Secretary of Veterans Affairs to carry out a pilot program on dog training therapy; **Pages H777–80**

Protect and Restore America's Estuaries Act: H.R. 4044, amended, to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, by a ⅔ yea-and-nay vote of 355 yeas to 62 nays, Roll No. 35; **Pages H780–85, H833**

San Francisco Bay Restoration Act: H.R. 1132, amended, to amend the Federal Water Pollution

Control Act to establish a grant program to support the restoration of San Francisco Bay; **Pages H785–88**

Promoting United Government Efforts to Save Our Sound Act: H.R. 2247, amended, to amend the Federal Water Pollution Control Act to provide assistance for programs and activities to protect the water quality of Puget Sound; **Pages H788–96**

Chesapeake Bay Program Reauthorization Act: H.R. 1620, amended, to amend the Federal Water Pollution Control Act to reauthorize the Chesapeake Bay Program; **Pages H796–99**

Great Lakes Restoration Initiative Act of 2019: H.R. 4031, to amend the Federal Water Pollution Control Act to reauthorize the Great Lakes Restoration Initiative, by a ⅔ yea-and-nay vote of 373 yeas to 45 nays, Roll No. 36; **Pages H799–H805, H833–34**

Amending the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program: H.R. 4275, amended, to amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program; **Pages H805–06**

Representative Payee Fraud Prevention Act: H.R. 5214, to amend title 5, United States Code, to prevent fraud by representative payees; **Pages H806–08**

Taxpayers Right-To-Know Act: H.R. 3830, amended, to provide taxpayers with an improved understanding of Government programs through the disclosure of cost, performance, and areas of duplication among them, leverage existing data to achieve a functional Federal program inventory; **Pages H808–11**

USPS Fairness Act: H.R. 2382, to amend title 5, United States Code, to repeal the requirement that the United States Postal Service prepay future retirement benefits, by a ⅔ yea-and-nay vote of 309 yeas to 106 nays, Roll No. 37; **Pages H811–15, H834–35**

Federal Risk and Authorization Management Program Authorization Act: H.R. 3941, amended, to enhance the innovation, security, and availability of cloud computing services used in the Federal Government by establishing the Federal Risk and Authorization Management Program within the General Services Administration and by establishing a risk management, authorization, and continuous monitoring process to enable the Federal Government to leverage cloud computing services using a risk-based approach consistent with the Federal Information Security Modernization Act of 2014 and cloud-based operations; **Pages H815–19**

Payment Integrity Information Act: S. 375, to improve efforts to identify and reduce Government-wide improper payments; **Pages H819–25**

Presidential Transition Enhancement Act: S. 394, to amend the Presidential Transition Act of 1963 to improve the orderly transfer of the executive power during Presidential transitions; **Pages H825–27**

Designating the facility of the United States Postal Service located at 12711 East Jefferson Avenue in Detroit, Michigan, as the "Aretha Franklin Post Office Building": H.R. 3976, to designate the facility of the United States Postal Service located at 12711 East Jefferson Avenue in Detroit, Michigan, as the "Aretha Franklin Post Office Building"; **Pages H827–28**

Designating the facility of the United States Postal Service located at 8320 13th Avenue in Brooklyn, New York, as the "Mother Frances Xavier Cabrini Post Office Building": H.R. 4794, to designate the facility of the United States Postal Service located at 8320 13th Avenue in Brooklyn, New York, as the "Mother Frances Xavier Cabrini Post Office Building"; **Pages H828–29**

Designating the facility of the United States Postal Service located at 2505 Derita Avenue in Charlotte, North Carolina, as the "Julius L. Chambers Civil Rights Memorial Post Office": H.R. 4981, to designate the facility of the United States Postal Service located at 2505 Derita Avenue in Charlotte, North Carolina, as the "Julius L. Chambers Civil Rights Memorial Post Office"; **Pages H829–30**

Designating the facility of the United States Postal Service located at 3703 North Main Street in Farmville, North Carolina, as the "Walter B. Jones, Jr. Post Office": H.R. 5037, to designate the facility of the United States Postal Service located at 3703 North Main Street in Farmville, North Carolina, as the "Walter B. Jones, Jr. Post Office"; **Pages H830–31**

Permitting the Scipio A. Jones Post Office in Little Rock, Arkansas, to accept and display a portrait of Scipio A. Jones: H.R. 3317, to permit the Scipio A. Jones Post Office in Little Rock, Arkansas, to accept and display a portrait of Scipio A. Jones; and **Pages H831–32**

Designating the facility of the United States Postal Service located at 445 Main Street in Laceyville, Pennsylvania, as the "Melinda Gene Piccotti Post Office": H.R. 4279, to designate the facility of the United States Postal Service located at 445 Main Street in Laceyville, Pennsylvania, as the "Melinda Gene Piccotti Post Office". **Pages H832–33**

Making a technical correction to the SFC Sean Cooley and SPC Christopher Horton Congressional Gold Star Family Fellowship Program Act: The House agreed to discharge from committee

and agree to H. Res. 812, making a technical correction to the SFC Sean Cooley and SPC Christopher Horton Congressional Gold Star Family Fellowship Program Act. Page H835

Providing for the reappointment of John Fahey as a citizen regent of the Board of Regents of the Smithsonian Institution: The House agreed to discharge from committee and pass S.J. Res. 65, providing for the reappointment of John Fahey as a citizen regent of the Board of Regents of the Smithsonian Institution. Page H835

Providing for the reappointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution: The House agreed to discharge from committee and pass S.J. Res. 67, providing for the reappointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution. Page H835

Privileged Resolution—Intent to Offer: Representative Granger announced her intent to offer a privileged resolution. Pages H836–37

Senate Message: Message received from the Senate today appears on pages H835–36.

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings of today and appear on pages H833, H834, and H834–35. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:36 p.m.

Committee Meetings

SUPERCHARGING THE INNOVATION BASE

Committee on Armed Services: Future of Defense Task Force held a hearing entitled ''Supercharging the Innovation Base''. Testimony was heard from public witnesses.

EXCEPTIONAL FAMILY MEMBER PROGRAM—ARE THE MILITARY SERVICES REALLY TAKING CARE OF FAMILY MEMBERS?

Committee on Armed Services: Subcommittee on Military Personnel held a hearing entitled ''Exceptional Family Member Program—Are the Military Services Really Taking Care of Family Members?''. Testimony was heard from Carolyn Stevens, Director, Office of Military Family Readiness Policy, Department of Defense; Captain Edward Simmer, U.S. Navy, Chief Clinical Officer, TRICARE Health Plans, Defense Health Agency, Department of Defense; Colonel Steve Lewis, U.S. Army, Deputy Director, DA Quality of Life Task Force and DA Family Advocacy Program Manager, U.S. Army; Ed Cannon, Director, Fleet and Family Readiness, Commander, U.S. Navy Installations Command; Norma Inabinet, Deputy Director, Military Personnel Programs, U.S. Air Force Personnel Center; Jennifer Stewart, Manager, Exceptional Family Member Program, Headquarters, U.S. Marine Corps; Jackie Nowicki, Director, K–12 Education, Government Accountability Office; and public witnesses.

UPDATE ON NAVY AND MARINE CORPS READINESS IN THE PACIFIC IN THE AFTERMATH OF RECENT MISHAPS

Committee on Armed Services: Subcommittee on Seapower and Projection Forces; and Subcommittee on Readiness held a joint hearing entitled ''Update on Navy and Marine Corps Readiness in the Pacific in the Aftermath of Recent Mishaps''. Testimony was heard from Vice Admiral Richard A. Brown, Commander, Naval Surface Forces, U.S. Pacific Fleet; and Lieutenant General Steven R. Rudder, U.S. Marine Corps, Deputy Commandant for Aviation, U.S. Marine Headquarters.

OVERSIGHT HEARING ON DOE'S ROLE IN ADVANCING BIOMEDICAL SCIENCES

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing entitled ''Oversight Hearing on DOE's Role in Advancing Biomedical Sciences''. Testimony was heard from Narayanan Kasthuri, Neuroscientist, Argonne National Laboratory, Department of Energy; and public witnesses.

STRENGTHENING COMMUNITY RECYCLING PROGRAMS: CHALLENGES AND OPPORTUNITIES

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing entitled ''Strengthening Community Recycling Programs: Challenges and Opportunities''. Testimony was heard from Peter Wright, Assistant Administrator, Office of Land and Emergency Management, Environmental Protection Agency; and public witnesses.

THE FUTURE OF WORK: PROTECTING WORKERS' CIVIL RIGHTS IN THE DIGITAL AGE

Committee on Education and Labor: Subcommittee on Civil Rights and Human Services held a hearing entitled ''The Future of Work: Protecting Workers' Civil Rights in the Digital Age''. Testimony was heard from public witnesses.

MODERNIZING THE NATURAL GAS ACT TO ENSURE IT WORKS FOR EVERYONE

Committee on Energy and Commerce: Subcommittee on Energy held a hearing entitled "Modernizing the Natural Gas Act to Ensure it Works for Everyone". Testimony was heard from public witnesses.

VAPING IN AMERICA: E-CIGARETTE MANUFACTURERS' IMPACT ON PUBLIC HEALTH

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Vaping in America: E–Cigarette Manufacturers' Impact on Public Health". Testimony was heard from public witnesses.

RENT-A-BANK SCHEMES AND NEW DEBT TRAPS: ASSESSING EFFORTS TO EVADE STATE CONSUMER PROTECTIONS AND INTEREST RATE CAPS

Committee on Financial Services: Full Committee held a hearing entitled "Rent-A-Bank Schemes and New Debt Traps: Assessing Efforts to Evade State Consumer Protections and Interest Rate Caps". Testimony was heard from Monique Limon, Chair, Banking and Finance Committee, State Assembly, California; and public witnesses.

A FUTURE WITHOUT PUBLIC HOUSING? EXAMINING THE TRUMP ADMINISTRATION'S EFFORTS TO ELIMINATE PUBLIC HOUSING

Committee on Financial Services: Subcommittee on Housing, Community Development, and Insurance held a hearing entitled "A Future Without Public Housing? Examining the Trump Administration's Efforts to Eliminate Public Housing". Testimony was heard from Ann Gass, Director of Strategic Housing Initiatives, Housing Authority of the City of Austin, Texas; Bobby Collins, Executive Director, Housing Authority of the City of Shreveport, Louisiana; Eugene Jones, Jr., President and Chief Executive Officer, Atlanta Housing Authority, Georgia; and public witnesses.

UNIQUE CHALLENGES WOMEN FACE IN GLOBAL HEALTH

Committee on Foreign Affairs: Full Committee held a hearing entitled "Unique Challenges Women Face in Global Health". Testimony was heard from Chairman Lowey and Representative Rodgers of Washington; and public witnesses.

THE WUHAN CORONAVIRUS: ASSESSING THE OUTBREAK, THE RESPONSE, AND REGIONAL IMPLICATIONS

Committee on Foreign Affairs: Subcommittee on Asia, the Pacific, and Nonproliferation held a hearing entitled "The Wuhan Coronavirus: Assessing the Outbreak, the Response, and Regional Implications". Testimony was heard from public witnesses.

THE NORTHERN NORTHERN BORDER: HOMELAND SECURITY PRIORITIES IN THE ARCTIC, PART II

Committee on Homeland Security: Subcommittee on Transportation and Maritime Security held a hearing entitled "The Northern Northern Border: Homeland Security Priorities in the Arctic, Part II". Testimony was heard from Admiral Charles Ray, Vice Commandant, U.S. Coast Guard; Michael Murphy, Deputy Assistant Secretary for European and Eurasian Affairs, Department of State; and Marie Mak, Director for Contracting and National Security Acquisitions, Government Accountability Office.

OVERSIGHT OF THE SMITHSONIAN INSTITUTION: OPPORTUNITIES FOR GROWTH BY HONORING LATINO AMERICANS AND ASIAN PACIFIC AMERICANS

Committee on House Administration: Full Committee held a hearing entitled "Oversight of the Smithsonian Institution: Opportunities for Growth by Honoring Latino Americans and Asian Pacific Americans". Testimony was heard from Representatives Serrano, Meng, and Hurd; Lonnie G. Bunch III, Secretary, Smithsonian Institution; Lisa Sasaki, Director, Smithsonian Asian Pacific American Center, Smithsonian Institution; Eric Petersen, Specialist in American National Government, Congressional Research Service, Library of Congress; and public witnesses.

OVERSIGHT OF THE FEDERAL BUREAU OF INVESTIGATION

Committee on the Judiciary: Full Committee held a hearing entitled "Oversight of the Federal Bureau of Investigation". Testimony was heard from Christopher A. Wray, Director, Federal Bureau of Investigation.

LEGISLATIVE MEASURE

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing on H.R. 5598, the "Boundary Waters Wilderness Protection and Pollution Prevention Act". Testimony was heard from Representative McCollum; Chris French, Deputy Chief, National Forest System, Department of Agriculture; Leah Baker, Associate State Director,

Bureau of Land Management Eastern States, Department of the Interior; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee for Indigenous Peoples of the United States held a hearing on H.R. 4059, to take certain lands in California into trust for the benefit of the Agua Caliente Band of Cahuilla Indians, and for other purposes; H.R. 4495, to authorize the Secretary of Health and Human Services, acting through the Director of the Indian Health Service, to acquire private land to facilitate access to the Desert Sage Youth Wellness Center in Hemet, California, and for other purposes; H.R. 4888, to amend the Grand Ronde Reservation Act, and for other purposes; and H.R. 5153, the ''Indian Buffalo Management Act''. Testimony was heard from Darryl LaCounte, Director, Bureau of Indian Affairs, Department of the Interior; Randy Grinnell, Deputy Director for Management Operations, Indian Health Service, Department of Health and Human Services; and public witnesses.

A THREAT TO AMERICA'S CHILDREN? THE TRUMP ADMINISTRATION'S PROPOSED CHANGES TO THE POVERTY LINE CALCULATION

Committee on Oversight and Reform: Subcommittee on Government Operations held a hearing entitled ''A Threat to America's Children? The Trump Administration's Proposed Changes to the Poverty Line Calculation''. Testimony was heard from Representatives Ocasio-Cortez and Miller; and public witnesses.

A THREAT TO AMERICA'S CHILDREN: THE TRUMP ADMINISTRATION'S PROPOSAL TO GUT FAIR HOUSING ACCOUNTABILITY

Committee on Oversight and Reform: Subcommittee on Civil Rights and Civil Liberties held a hearing entitled ''A Threat to America's Children: The Trump Administration's Proposal to Gut Fair Housing Accountability''. Testimony was heard from Ellen Lee, Director of Community and Economic Development, New Orleans, Louisiana; and public witnesses.

PROTECTING THE RIGHT TO ORGANIZE ACT OF 2019; EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF AND PUERTO RICO DISASTER TAX RELIEF ACT, 2020; EXPRESSING DISAPPROVAL OF THE TRUMP ADMINISTRATION'S HARMFUL ACTIONS TOWARDS MEDICAID

Committee on Rules: Full Committee held a hearing on H.R. 2474, the ''Protecting the Right to Organize Act of 2019''; H.R. 5687, the ''Emergency Supplemental Appropriations for Disaster Relief and Puerto Rico Disaster Tax Relief Act, 2020''; and H. Res. 826, expressing disapproval of the Trump administration's harmful actions towards Medicaid. The Committee granted, by record vote of 9–4, a rule providing for consideration of H. Res. 826, the ''Protecting the Right to Organize Act of 2019'', H.R. 2474, the ''Emergency Supplemental Appropriations for Disaster Relief and Puerto Rico Disaster Tax Relief Act, 2020'', and H.R. 5687, Expressing disapproval of the Trump administration's harmful actions towards Medicaid. The rule provides for consideration of H. Res. 826, Expressing disapproval of the Trump administration's harmful actions towards Medicaid, under a closed rule. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the resolution. The rule provides that the resolution shall be considered as read. The rule provides for consideration of H.R. 2474, the ''Protecting the Right to Organize Act of 2019'', under a structured rule. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill, modified by the amendment printed in part A of the Rules Committee report, shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule makes in order only those amendments printed in part B of the Rules Committee report accompanying the resolution. Each amendment made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in Part B of the report. The rule provides one motion to recommit with or without instructions. The rule provides for consideration of H.R. 5687, the ''Emergency Supplemental Appropriations for Disaster Relief and Puerto Rico Disaster Tax Relief Act, 2020'', under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall

be considered as read. The rule waives all points of order against provisions in the bill and provides that clause 2(e) of Rule XXI shall not apply during consideration of the bill. The rule makes in order only those amendments printed in Part C of the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the amendments printed in Part C of the report are waived. The rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Pallone, Chairman Lowey, Chairman Scott of Virginia, and Representatives Walden, Rodgers of Washington, Granger, Suozzi, Rice of South Carolina, Graves of Louisiana, and Foxx.

MANAGEMENT AND SPENDING CHALLENGES WITHIN THE DEPARTMENT OF ENERGY'S OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY

Committee on Science, Space, and Technology: Subcommittee on Investigations and Oversight; and Subcommittee on Energy held a joint hearing entitled ''Management and Spending Challenges within the Department of Energy's Office of Energy Efficiency and Renewable Energy''. Testimony was heard from Daniel Simmons, Assistant Secretary, Office of Energy Efficiency and Renewable Energy, Department of Energy; and public witnesses.

AMERICA'S SEED FUND: A REVIEW OF SBIR AND STTR

Committee on Science, Space, and Technology: Subcommittee on Research and Technology held a hearing entitled ''America's Seed Fund: A Review of SBIR and STTR''. Testimony was heard from Dawn Tilbury, Assistant Director, Directorate of Engineering, National Science Foundation; and public witnesses.

SBA MANAGEMENT REVIEW: OFFICE OF CREDIT RISK MANAGEMENT

Committee on Small Business: Full Committee held a hearing entitled ''SBA Management Review: Office of Credit Risk Management''. Testimony was heard from Susan E. Streich, Director, Office of Credit Risk Management, U.S. Small Business Administration.

TRACKING TOWARD ZERO: IMPROVING GRADE CROSSING SAFETY AND ADDRESSING COMMUNITY CONCERNS

Committee on Transportation and Infrastructure: Subcommittee on Railroads, Pipelines, and Hazardous Materials held a hearing entitled ''Tracking Toward Zero: Improving Grade Crossing Safety and Addressing Community Concerns''. Testimony was heard from Karl Alexy, Associate Administrator for Railroad Safety and Chief Safety Officer, Federal Railroad Administration; Brian Vercruysse, Rail Safety Program Administrator, Illinois Commerce Commission; Matthew O'Shea, Alderman, 19th Ward of Chicago, Chicago City Council, Illinois; and public witnesses.

EXAMINING HOW THE DEPARTMENT OF VETERANS AFFAIRS SUPPORTS SURVIVORS OF MILITARY SEXUAL TRAUMA

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations; and Women Veterans Task Force held a joint hearing entitled ''Examining How the Department of Veterans Affairs Supports Survivors of Military Sexual Trauma''. Testimony was heard from Willie Clark, Deputy Under Secretary for Field Operations, Veterans Benefits Administration, Department of Veterans Affairs; Julie Kroviak, Deputy Assistance Inspector General for Healthcare Inspections, Office of Inspector General, Department of Veterans Affairs; and public witnesses.

MORE CURES FOR MORE PATIENTS: OVERCOMING PHARMACEUTICAL BARRIERS

Committee on Ways and Means: Subcommittee on Health held a hearing entitled ''More Cures for More Patients: Overcoming Pharmaceutical Barriers''. Testimony was heard from public witnesses.

CREATING A CLIMATE RESILIENT AMERICA: OVERCOMING THE HEALTH RISKS OF THE CLIMATE CRISIS

Committee on the Climate Crisis: Full Committee held a hearing entitled ''Creating a Climate Resilient America: Overcoming the Health Risks of the Climate Crisis''. Testimony was heard from public witnesses.

ARTICLE ONE: FOSTERING A MORE DELIBERATIVE PROCESS IN CONGRESS

Select Committee on the Modernization of Congress: Full Committee held a hearing entitled ''Article One: Fostering a More Deliberative Process in Congress''. Testimony was heard from public witnesses.

Joint Meetings

PARLIAMENTARY DIPLOMACY

Commission on Security and Cooperation in Europe: Commission concluded a hearing to examine the power and purpose of parliamentary diplomacy, focusing on inter-parliamentary initiatives and the United States contribution, after receiving testimony from George Tsereteli, Georgian Member of Parliament and President of the Organization for Security and Co-operation in Europe Parliamentary Assembly, Tbilisi, Georgia; and Attila Mesterhazy, Hungarian Member of Parliament and Acting President of the North Atlantic Treaty Organization Parliamentary Assembly, Budapest, Hungary.

COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 6, 2020

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies, hearing entitled ''Non Tribal Public Witness Day'', 9 a.m., 2008 Rayburn.

Subcommittee on Defense, hearing entitled ''U.S. Strategic Command'', 11 a.m., H–140 Capitol. This hearing is closed.

Subcommittee on Interior, Environment, and Related Agencies, hearing entitled ''Non Tribal Public Witness Day'', 1 p.m., 2008 Rayburn.

Committee on Education and Labor, Subcommittee on Early Childhood, Elementary and Secondary Education, hearing entitled ''Solving America's Child Care Crisis: Supporting Parents, Children, and the Economy'', 10:15 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Environment and Climate Change, hearing entitled ''Clearing the Air: Legislation to Promote Carbon Capture, Utilization and Storage'', 10 a.m., 2123 Rayburn.

Committee on Financial Services, Full Committee, hearing entitled ''Protecting Consumers or Allowing Consumer Abuse? A Semi-Annual Review of the Consumer Financial Protection Bureau'', 10 a.m., 2128 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''Fake It Till They Make It: How Bad Actors Use Astroturfing to Manipulate Regulators, Disenfranchise Consumers and Subvert the Rulemaking Process'', 2 p.m., 2128 Rayburn.

Committee on Homeland Security, Full Committee, hearing entitled ''About Face: Examining the Department of Homeland Security's Use of Facial Recognition and Other Biometric Technologies, Part II'', 10 a.m., 310 Cannon.

Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing entitled ''Citizens United at 10: The Consequences for Democracy and Potential Responses by Congress'', 10 a.m., 2141 Rayburn.

Committee on Oversight and Reform, Subcommittee on Economic and Consumer Policy, hearing entitled ''A Threat to America's Children: The Trump Administration's Proposed Changes to Broad Based Categorical Eligibility for the Supplemental Nutrition Assistance Program'', 10 a.m., 2154 Rayburn.

Subcommittee on Environment, hearing entitled ''A Threat to America's Children: The Trump Administration's Proposal to Undermine Protections from Mercury Air Toxics Standards'', 2 p.m., 2154 Rayburn.

Committee on Small Business, Subcommittee on Rural Development, Agriculture, Trade, and Entrepreneurship, hearing entitled ''Taking Care of Business: How Childcare is Important for Regional Economies'', 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Highways and Transit, hearing entitled ''Assessing the Transportation Needs of Tribes, Federal Land Management Agencies, and U.S. Territories'', 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, hearing on H.R. 5052, the ''WAVES Act''; legislation on the Class Evaluation Act; legislation on the Edith Norris Rogers Improvement; legislation on the For Profit Conversions; legislation on the GI Bill Comparison Tool Data MOU; legislation on the Home Loan Disaster Legislation; legislation on the Increase in Frequency of Benefits under Automobile Assistance Programs; legislation on the VET–TEC Guard/Reserve Fix; legislation on the VET–TEC Terminal Leave Fix; legislation on the Authority of the Secretary of Veterans Affairs to Provide or Assist in Providing Second Vehicles Adapted for Operation by Disabled legislation on the Electronic Certificates of Eligibility; legislation on the Liability for Transferred Education Benefits; legislation on the STEM Eligibility; and legislation on the VET–TEC Improvement Act, 10 a.m., HVC–210.

Committee on Ways and Means, Subcommittee on Trade, hearing entitled ''Trade Infrastructure for Global Competitiveness'', 10 a.m., 1100 Longworth.

Next Meeting of the **SENATE**

11:30 a.m., Thursday, February 6

Senate Chamber

Program for Thursday: Senate will meet in a pro forma session.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Thursday, February 6

House Chamber

Program for Thursday: Consideration of H.R. 2474—Protecting the Right to Organize Act (Subject to a Rule). Consideration of H.R. 5687—Emergency Supplemental Appropriations for Disaster Relief and Puerto Rico Disaster Tax Relief Act, 2020 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue.

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Publishing Office, at *www.govinfo.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Publishing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.