

hope that other States will follow the great leadership of the State of Illinois.

The SPEAKER pro tempore (Mr. BUTTERFIELD). Members are reminded to refrain from engaging in personalities toward the President.

EXPRESSING SENSE OF CONGRESS THAT THE REPORT OF SPECIAL COUNSEL MUELLER SHOULD BE MADE AVAILABLE TO THE PUBLIC AND TO CONGRESS

Mr. NADLER. Mr. Speaker, pursuant to House Resolution 208, I call up the concurrent resolution (H. Con. Res. 24) expressing the sense of Congress that the report of Special Counsel Mueller should be made available to the public and to Congress, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 208, the amendments to the concurrent resolution and the preamble, printed in House Report 116-17, are agreed to, and the concurrent resolution, as amended, is considered read.

The text of the concurrent resolution, as amended, is as follows:

H. CON. RES. 24

Whereas, on January 6, 2017, the Office of the Director of National Intelligence released a report concluding that “Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the US presidential election”, that the goal of this campaign was “to undermine public faith in the US democratic process”, and that “Putin and the Russian Government developed a clear preference for President-elect Trump”;

Whereas, on March 20, 2017, the Director of the Federal Bureau of Investigation (FBI) testified that he was authorized by the Department of Justice to confirm that the FBI is investigating whether “there was any coordination” between individuals associated with the Trump presidential campaign and the Russian Government;

Whereas part 600 of title 28, Code of Federal Regulations, as in effect on March 7, 2019 (in this resolution referred to as “Special Counsel Regulations”), provides for the appointment of a Special Counsel when the Attorney General or Acting Attorney General “determines that criminal investigation of a person or matter is warranted and—(a) That investigation . . . by a United States Attorney’s Office or litigating Division of the Department of Justice would present a conflict of interest for the Department or other extraordinary circumstances; and (b) That under the circumstances, it would be in the public interest to appoint an outside Special Counsel to assume responsibility for the matter”;

Whereas the Special Counsel Regulations call for any individual named as Special Counsel to be a “lawyer with a reputation for integrity and impartial decision making and with appropriate experience to ensure that both the investigation will be conducted ably, expeditiously and thoroughly, and that investigative and prosecutorial decisions will be supported by an informed understanding of the criminal law and Department of Justice policies”;

Whereas, on May 17, 2017, the Acting Attorney General appointed former FBI Director Robert S. Mueller III to serve as Special Counsel “to ensure a full and thorough investigation of the Russian government’s efforts to interfere in the 2016 presidential election”, including an exam-

ination of “any links and/or coordination between the Russian government and individuals associated with the campaign of President Donald Trump”, “any matters that arose or may arise directly from the investigation”, and “any other matters within the scope of 28 C.F.R. 600.4(a)”;

Whereas the Acting Attorney General explained that he had appointed Special Counsel Mueller because he “determined that it is in the public interest . . . to . . . appoint a Special Counsel to assume responsibility for this matter . . . based upon the unique circumstances, the public interest requires [him] to place this investigation under the authority of a person who exercises a degree of independence from the normal chain of command . . . [and that] a Special Counsel is necessary in order for the American people to have full confidence in the outcome. Our nation is grounded on the rule of law, and the public must be assured that government officials administer the law fairly”;

Whereas Special Counsel Mueller has previously served in the Department of Justice as a prosecutor, United States Attorney, and Director of the FBI under both Republican and Democratic administrations, and his selection as the Special Counsel elicited bipartisan praise recognizing his reputation for competence, fairness, and nonpartisanship;

Whereas the Special Counsel’s investigation has thus far resulted in the public indictment of 34 individuals and 3 companies, 7 guilty pleas, and 1 conviction following a jury trial;

Whereas the Special Counsel Regulations provide that “[a]t the conclusion of the Special Counsel’s work, he or she shall provide the Attorney General with a confidential report explaining the prosecution or declination decisions reached by the Special Counsel”;

Whereas, on January 15, 2019, at his confirmation hearing before the Senate Committee on the Judiciary, Attorney General William Barr testified “I . . . believe it is very important that the public and Congress be informed of the results of the special counsel’s work. For that reason, my goal will be to provide as much transparency as I can consistent with the law”;

Whereas, on February 22, 2019, the chairs of six committees of the House of Representatives wrote to Attorney General Barr to inform him of their expectation that he will make Special Counsel Mueller’s report public “to the maximum extent permitted by law”;

Whereas transparency is consistent with the overall purpose and intent of the Special Counsel Regulations and the accompanying Department of Justice commentary, which notes the importance of “ensur[ing] congressional and public confidence in the integrity of the process”;

Whereas the need for transparency is most pronounced with regard to investigations that involve the President or individuals associated with his campaign as the President is responsible for the appointment of the senior leadership of the Department of Justice;

Whereas the Department of Justice’s United States Attorney’s Manual indicates that in public filings and proceedings, prosecutors “should remain sensitive to the privacy and reputation interests of uncharged third-parties”, that is, of persons who the Department considers may be, but are not yet criminally charged;

Whereas this general nonstatutory policy of sensitivity to the “interests of uncharged third-parties” should be inapplicable to a sitting President because the Department of Justice’s Office of Legal Counsel has previously written that “a sitting President is constitutionally immune from indictment and criminal prosecution”;

Whereas the Department of Justice has on numerous recent occasions provided investigatory information to Congress and the public concerning investigations of high-level public officials in both pending and closed cases;

Whereas in the only other instance where a Special Counsel was appointed under the Spe-

cial Counsel Regulations (in 1999, concerning the 1993 confrontation in Waco, Texas), both the interim and final reports, including findings, provided by the Special Counsel were released to the public by the Attorney General; and

Whereas the allegations at the center of Special Counsel Mueller’s investigation strike at the core of our democracy, and there is an overwhelming public interest in releasing the Special Counsel’s report to ensure public confidence in both the process and the result of the investigation: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) calls for the public release of any report, including findings, Special Counsel Mueller provides to the Attorney General, except to the extent the public disclosure of any portion thereof is expressly prohibited by law; and

(2) calls for the full release to Congress of any report, including findings, Special Counsel Mueller provides to the Attorney General.

The SPEAKER pro tempore. The gentleman from New York (Mr. NADLER) and the gentleman from Georgia (Mr. COLLINS) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

□ 0915

GENERAL LEAVE

Mr. NADLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H. Con. Res. 24.

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

There was no objection.

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

Mr. Speaker, H. Con. Res. 24 expresses the sense of Congress that any report Special Counsel Robert Mueller delivers to the Attorney General should be released to the public and to Congress. This concurrent resolution is important for several reasons.

First, transparency is fundamental to the special counsel process, especially when dealing with matters of national security involving the President.

In January 2017, the U.S. intelligence community unanimously reported that “Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. Presidential election” and that “Putin and the Russian Government developed a clear preference for President-elect Trump.” As a result of the importance of this charge and the clear conflict of interest in a matter involving the President, Robert Mueller was appointed as special counsel by the Acting Attorney General “in order for the American people to have full confidence in the outcome.”

This is why in the only other instance involving the appointment of a special counsel under the regulations, concerning the Waco tragedy, the special counsel’s report was released in full by the Attorney General.

Second, this resolution is critical because of the many questions and criticisms of the investigation raised by the President and his administration. It is

important that Congress stand up for the principle of full transparency at a time when the President has publicly attacked the Russian investigation more than 1,100 times and counting. Among other things, the President has repeatedly referred to the investigation as a “witch hunt” and called it a “hoax,” “rigged,” and a “scam.”

This resolution is also needed because high-ranking DOJ officials have indicated that they may not release information about individuals who are not indicted. Deputy Attorney General Rosenstein stated last month that “if we aren’t prepared to prove our case beyond a reasonable doubt in court, then we have no business making allegations against American citizens.”

This normally salutary policy must not apply in the event the Department adheres to its policy that it cannot indict a sitting President. To maintain that a sitting President cannot be indicted no matter how much evidence there is because he is a sitting President, and then to withhold evidence of wrongdoing from Congress because the President cannot be charged, is to convert DOJ policy into the means for a coverup.

Third, releasing the Mueller report, even in its entirety, does not absolve the Department of Justice of its obligation to provide Congress with the underlying evidence uncovered by the special counsel. This expectation is well grounded in precedent set by the Department just in the last Congress in connection with three Republican-led investigations into Hillary Clinton’s emails, the dismissal of former FBI Acting Director McCabe, and allegations of bias concerning the Russian investigation.

With respect to the investigation involving Secretary Clinton’s emails, this included the Department of Justice releasing to Congress more than 880,000 pages of documents regarding the FBI’s decisionmaking, identifying to Congress the names of career officials involved in the charging decision, identifying to Congress specific court cases relied on in the charging decision, and making numerous DOJ and FBI personnel available to Congress for transcribed interviews.

With respect to the dismissal of former Acting Director McCabe, this included releasing to Congress all documents relied on by the Office of Professional Responsibility in making its decision.

With respect to claims of bias in the Russian investigation, this included not only releasing to the public an otherwise classified foreign intelligence application, but also releasing to Congress: one, all underlying documents and communications involving the FISA applications; two, four memos detailing the former FBI Director’s communications with the President; three, materials pertaining to classified briefings involving the Trump and Clinton Presidential campaigns; and four, making even more DOJ and FBI officials

available for a total of 21 transcribed interviews and hearings.

These precedents make clear the obligation of the Department of Justice to release all evidence with respect to the Russian investigation.

A vote for this resolution will send a clear signal to both the American people and to the Department of Justice that Congress believes transparency is a fundamental principle necessary to ensure that government remains accountable to the public.

Mr. Speaker, I urge my colleagues on both sides of the aisle to join me in supporting this commonsense resolution.

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

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I intend to support this resolution, but as a matter of time and coming through this week, I have 30 minutes, so I might as well talk about a resolution that is a restatement of the regulation. I want to provide some background on the special counsel’s regulations.

Special Counsel Mueller is operating under a different regulatory framework from the independent counsel statute that gave us the Starr report.

The Clinton administration Justice Department, which was led by Attorney General Janet Reno, Deputy Attorney General Eric Holder, and Neal Katyal, drafted the special counsel regulations in effect today. They established a regulatory framework that gives the Attorney General flexibility.

Attorney General Barr has a few options when he receives the information from Mr. Mueller. He can give Congress the complete report or a summary, or he can simply tell Congress that the Mueller investigation has concluded.

The Clinton administration regulations do not require a full report to Congress. However, during his confirmation, Attorney General Barr said he wants to be “transparent” with Congress and the public “consistent with the rules and the law.” I have no reason to think Attorney General Barr would back away from those statements he made before the Senate Judiciary Committee.

Mr. Speaker, I believe he is truthful and will be truthful to his word to make as much public as he possibly can.

The American people should not expect another Starr report. The Clinton Justice Department made sure another President would not have salacious stories aired before the American people. Janet Reno herself testified before Congress in 1999 that it was a bad idea for independent counsels to publish final reports.

Many Members of the Democratic majority in Congress today voted against the public release of materials related to the Starr report.

Mr. Speaker, I include in the RECORD a narrative related to a roll call vote

from the 105th Congress. For the RECORD, I note that the following Democratic Members voted against the release of the Starr materials: Speaker PELOSI, Majority Whip CLYBURN, Chairman NADLER, Chairman CUMMINGS, Chairman ENGEL, Chairman WATERS, Ms. JACKSON LEE, Mr. MARKEY, Chair LOFGREN, and Chairman NEAL, among others.

It is amazing that we have now changed our perspective on that, in light of a Republican in the White House.

Again, this resolution simply, basically, restates the regulations that are currently in place that were written under the Clinton Department of Justice. It is going to go forward. The new Attorney General has said he wants to make as much public to the American people as he legally can.

I believe in transparency. I believe that there are many other things we could be working on, but I am happy to support a resolution that is actually just a restatement of the regulatory burden already placed upon the Attorney General.

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

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. WATERS), the distinguished chairwoman of the Financial Services Committee.

Ms. WATERS. Mr. Speaker, I thank Chairman NADLER for yielding.

Mr. Speaker, I strongly support H. Con. Res. 24, which expresses the sense of Congress that the report of Special Counsel Robert Mueller should be available to the public and to Congress.

Special Counsel Mueller has been appointed to ensure a full and thorough investigation of the Russian Government’s efforts to interfere in the 2016 Presidential election and to examine any links and/or coordination between the Russian Government and individuals associated with the campaign of President Donald Trump.

He has also been appointed with the authority to investigate and prosecute Federal crimes committed in the course of and with the intent to interfere with the investigation, including perjury, obstruction of justice, destruction of evidence, and intimidation of witnesses.

The gravity and magnitude of this investigation, given that it goes straight to the heart of our democracy and involves the President of the United States, requires the public release of the special counsel’s findings.

This is an investigation that affects each and every American, whether it implicates or exonerates the President. Therefore, it must be brought to light so that the American people can see for themselves the findings and determinations made by an objective, impartial investigator who has a reputation for integrity.

In addition, the report will provide valuable insight and information for the important investigations being undertaken in the House, including the

investigation being conducted by the Committee on Financial Services on money laundering and the President's finances.

Special Counsel Mueller has been appropriately deliberate and discreet in conducting this investigation. It is clear from the manner in which the special counsel has approached this investigation that he has taken it seriously and has not conducted what President Trump refers to as a "witch hunt."

So far, the special counsel's investigation has resulted in 199 criminal charges, 37 indictments or guilty pleas, and five prison sentences.

Whatever his prosecutorial decisions may be going forward, it is in the public's interest to be given full transparency into those decisions and the explanations behind them.

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

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. SCHIFF), the distinguished chair of the Intelligence Committee.

Mr. SCHIFF. Mr. Speaker, I thank the gentleman from New York (Mr. NADLER) for yielding and for his sponsorship of this important legislation. I rise in strong support.

Special Counsel Robert Mueller was appointed in May 2017 to oversee the ongoing criminal and counterintelligence investigation into Russia's interference in the 2016 election. Over the nearly 2 years since his appointment, the special counsel has indicted 34 individuals and three companies, and secured guilty pleas or convictions from eight individuals.

We do not know when the special counsel will complete his work, but there are indications that it could occur in the near future.

Notwithstanding the overwhelming public interest in the special counsel's report and findings, I am deeply concerned that Attorney General Barr may attempt to withhold Mueller's full report from the public and the underlying evidence from Congress and could instead seek to provide only a CliffsNotes version of the report to Congress.

As this resolution makes clear, Congress will not accept any attempt by Mr. Barr or the President to bury the report and the findings of the special counsel. Withholding this information would be untenable in light of the intense public interest and need for transparency, but particularly so when the Department has provided voluminous production to Congress at the demand of the previous majority, including sensitive FISA materials and other classified and law enforcement-sensitive materials related to the Mueller investigation and the Clinton email investigation.

Last year, I repeatedly warned Department leadership that, in providing these materials to Congress, they were establishing a precedent and one that they would have to live with in the future. They did so anyway.

While anonymous sources at the Department have attempted to publicly blame James Comey for the provision of this information, in fact, the Department has turned over more than 880,000 pages of documents from the Clinton email investigation to Congress, all of them—all of them—pursuant to congressional subpoenas issued after James Comey was fired. They have produced highly sensitive records, including FISA materials, directly related to ongoing investigations at the core of the special counsel's charter.

To be sure, something far more serious than precedent is at stake. Disclosure is uniquely imperative here because the special counsel reportedly is investigating whether the President himself engaged in misconduct. If the special counsel has indeed uncovered evidence of serious wrongdoing on the President's part, then that evidence must be furnished to Congress and ultimately to the American people.

Withholding the full report or underlying evidence would only heighten concerns over a coverup or a pernicious or partisan double standard.

The special counsel's regulations were written, above all, to ensure public confidence in the fair and impartial administration of justice. That charge would be entirely vitiated by an attempt to cover up or conceal Special Counsel Mueller's findings and report, whatever they may be and whenever they are finalized.

Mr. Speaker, I urge Members of both parties to join me in supporting this resolution and to make clear that anything less than full transparency is unacceptable.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

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

Mr. NADLER. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. TED LIEU), a member of the Judiciary Committee.

□ 0930

Mr. TED LIEU of California. Mr. Speaker, I thank Chairman NADLER for his leadership.

Mr. Speaker, I rise in support of this resolution requesting that Special Counsel Mueller's report be made available to the public.

There are three reasons why this must happen.

First, the taxpayers paid for this report. The American people funded this investigation. They have a right to see the contents of the report of the investigation.

Second, internal bureaucratic Department of Justice policies do not apply to Congress, especially on matters of national importance.

And third, if we don't get this report, it could amount to a cover-up.

The United States Constitution does not say that a sitting President cannot be indicted. There is nothing in the Constitution that would prevent that.

Unfortunately, the Department of Justice has taken the policy position that they are not going to indict a sitting President, which means that the only institution that can hold the President accountable is Congress. If we do not get this information, we cannot effectively do our jobs, we cannot hold the President accountable, and it is something that the American public wants to see.

Over 87 percent of respondents in a recent poll say that this report should be made available to Congress and to the American public. If the Department of Justice does not do this, we all need to ask: What are they trying to hide?

Mr. COLLINS of Georgia. Mr. Speaker, I continue to reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. NEGUSE), a member of the Judiciary Committee.

Mr. NEGUSE. Mr. Speaker, I thank the chairman for his leadership and for introducing this incredibly important resolution.

Mr. Speaker, the investigation currently under way by Special Counsel Robert Mueller is incredibly important: an open investigation into incredibly serious allegations, potential obstruction of justice, corruption, and possible links of coordination between President Trump's Presidential campaign and the Russian Government, efforts to meddle in our democratic process, and mislead and manipulate American voters.

The allegations at the center of this investigation, as I said, are serious, they are credible, and they are unprecedented. With 37 indictments and counting, it is of paramount importance that the special counsel's report and the underlying evidence be made public for the sake of transparency and trust in our government.

As a nation, as a Congress, and as a Republic, we need to know all of the facts about this investigation and what unfolded between players in the President's campaign and Russia in 2016. We must protect and respect the work of Special Counsel Mueller, and his report must be released, in full, for the Congress and for the American people to see.

Mr. Speaker, again, I thank the chairman for introducing this resolution, and I encourage my colleagues to support it.

Mr. COLLINS of Georgia. Mr. Speaker, I continue to reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. COHEN), the distinguished chairman of the Subcommittee on Constitution, Civil Rights and Civil Liberties.

Mr. COHEN. Mr. Speaker, what we are discussing is one of the most important documents that will ever be produced and given, potentially, to Congress for the American people in

our modern history: a question of whether or not this administration was involved with the Russian Government, our number one foreign enemy, in influencing the outcome of our Presidential election, something tantamount to treason.

The report needs to be made public because the American people have a right to know. The American people, as Ronald Reagan, to paraphrase, said: I paid for this microphone, the American people paid for this report, they paid for the special counsel, they deserve to see the fruits of his work and whether or not, as Richard Nixon said, their President is a crook, they need to know that.

Unfortunately, as I sit here listening to this discussion, I feel like I am thrown back into a time in the 1970s—I think it was 1977, somewhere around there—in Kinshasa, Zaire, not in the Washington, D.C. capitol. It is the Muhammad Ali-George Foreman fight, and the other side, the Republicans, are playing the role of Muhammad Ali. Not the “float like a butterfly, sting like a bee” Muhammad Ali, but the rope-a-dope, sit back, take the punches, let them swing, let them hit you, because they know that eventually they will wear themselves out and they know the outcome, because the fix is in.

There is a reason why the Attorney General was picked by this President, and we will soon find out. But we need to pass this resolution and show the American people that Congress is on the side of transparency and are releasing this report and letting the American public, who paid for this report, know the results of it and know what needs to happen to protect our democracy and the rule of law.

The SPEAKER pro tempore. Members are, again, reminded that they should refrain from engaging in personalities toward the President.

Mr. COLLINS of Georgia. Mr. Speaker, how about engaging in personalities against the sitting Attorney General? You are saying that he was appointed for a reason.

PARLIAMENTARY INQUIRY

Mr. COLLINS of Georgia. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. COLLINS of Georgia. Is it not also directed at the House to not also impugn the integrity and the character of a sitting Cabinet member?

The SPEAKER pro tempore. At this time, the gentleman from Georgia is advised that the Chair will not issue an advisory opinion.

Mr. COLLINS of Georgia. I wouldn't want to do it either, Mr. Speaker.

The SPEAKER pro tempore. The Chair will not offer an advisory opinion.

Mr. COLLINS of Georgia. Offer? Can you offer it? You said you were able to offer an advisory opinion.

The SPEAKER pro tempore. The Chair will once again advise that the

rule requires Members to refrain from engaging in personalities toward the President.

Mr. COLLINS of Georgia. Mr. Speaker, I continue my parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. COLLINS of Georgia. I made a parliamentary inquiry concerning a Cabinet member, not the President. I understand your advisory opinion against the President. I fully agree with it. I am asking about a member of the Cabinet.

The SPEAKER pro tempore. The Chair would advise that the rule does not extend to a member of the Cabinet.

Mr. COLLINS of Georgia. Wow.

The SPEAKER pro tempore. Those are the rules of the House. The gentleman is advised.

Mr. COLLINS of Georgia. Wow. Thank you, Mr. Speaker, for enlightening us on that. It is okay, basically, if you impugn the integrity of a sitting member of the Cabinet. I guess we just learned something new today. That is encouraging. As far as Members of the House, I get that it is not in the rules, but it also shouldn't be a part of this debate.

This is a simple resolution. It simply restates the regulation. Don't make it any more or any less than what it is. That is why we are here. We are going to approve this, we are going to vote for it, but let's not make it any more than what it is. Let's continue on so we can get a vote, everybody can go home, and maybe we will come back and actually vote on legislation that actually matters.

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

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Washington (Ms. JAYAPAL), a member of the Judiciary Committee.

Ms. JAYAPAL. Mr. Speaker, I rise in strong support of H. Con. Res. 24, to express the sense of Congress that Special Counsel Mueller's report be made available to the American people and to Congress. We cannot impugn the integrity of the American people by keeping this report silenced.

For nearly 2 years, Special Counsel Robert Mueller and his team have investigated serious and credible allegations about obstruction of justice and collusion at the highest levels of our government. To date, Mr. Speaker, the investigation has led to the public indictment of three companies and 34 individuals, including the indictment of President Trump's former campaign manager and personal lawyer, seven guilty pleas, and one conviction following a jury trial. The allegations range from election interference, to lying to the FBI, to conspiracy to defraud the United States.

Mr. Speaker, this should not be a Republican or a Democratic issue. I hope that my colleagues on the other side

will understand that there should be nothing to hide from the American people about this investigation, a special counsel's investigation into whether there was interference in our elections.

If my Republican colleagues have nothing to fear from this report, if they are willing to stand up for the Constitution, if they are willing to stand up for the American people and put that Constitution over party, over any individual, including the one that sits in the White House, then they, too, will join us in voting unanimously for this resolution.

It is a big deal for the American people to maintain trust in our democracy and in our government. They have to know the results of the special counsel's report. This is, again, an American issue. It is about doing our constitutional duty to protect our democracy.

I look forward, Mr. Speaker, to having a unanimous vote on this resolution, passing it through and making it clear that we have nothing to hide. It is our duty to the American people.

Mr. COLLINS of Georgia. Mr. Speaker, I don't know, maybe I need to make the talking points to the other side clear. I agreed on Monday that I was voting for this. We are not opposing this, because it is simply a restatement of the regulation. I know that it is fashionable to think that we are not. So, again, I am sorry, I could have maybe made the talking points more clear at Rules that I was voting for this so we could have saved extra time on some of the discussion here.

Mr. Speaker, again, we will continue to go through this, and, at this point, I will continue to reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. DOGGETT), the sponsor of this legislation to ensure that the work of the special counsel is not suppressed and will offer valuable assistance on today's resolution.

Mr. DOGGETT. Mr. Speaker, I thank the chairman for his work on this.

Mr. Speaker, the relentless, baseless attacks on an American patriot, Robert Mueller, and his team, have moved us ever so closer to a constitutional crisis. Just as we cannot yield to Trump's attempt to discredit this distinguished team of legal experts, neither can we let them bury the results of this taxpayer-funded investigation.

Having nothing to fear means having nothing to hide. Those who seek to hide this report, obviously, do not believe that the truth will set them free. Rather, as it has for so many of Mr. Trump's sleazy cohorts, they feel that the truth will lock them up. So many lies, so much daily deceit. Already so much evidence of collusion and obstruction and, from the organization's own former lawyer, evidence of an apparent criminal enterprise that bears the name of the Trump organization.

If it is a witch hunt, Mr. President, it has more witches than a Mar-a-Lago

Halloween party. And your witches' brew seems to have cast a spell over many Members of this Congress who find themselves locked in continuing silence or wishy-washy efforts to ignore and bolster your floundering Presidency.

Today's resolution says to President Trump, who has shown some consistent disregard for the rule of law: You cannot seize and secret evidence of conduct that others need to see. Let the taxpayers see the results of the investigation of the wrongdoing, which their dollars have rightly funded.

Our congressional duty is to enforce the borders, to be Border Patrol people, to see that this President, who is willing to cross every line, every constitutional boundary, to see that he is contained within the borders of the Constitution. For the rule of law to stand, the administration cannot be allowed to sit on the special counsel's report.

Mr. Speaker, I urge adoption of the resolution.

Mr. COLLINS of Georgia. Mr. Speaker, I continue to reserve the balance of my time.

Mr. NADLER. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from New York has 11 minutes remaining.

Mr. COLLINS of Georgia. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Georgia has 26½ minutes remaining.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. HIMES).

Mr. HIMES. Mr. Speaker, I thank the gentleman from New York for yielding. And I also thank the ranking member. I very much appreciate his comments that he will support this concurrent resolution.

Mr. Speaker, I will just observe, as a member of the Intelligence Committee, that we have seen our politics twisted into almost unrecognizable form by the unprecedented attacks of the President on the Department of Justice, on the FBI, on the investigation as a whole.

This report must see the light of day and must be made available to the American public for a catharsis that will allow us to start with the facts, to understand what happened and to rebuild the faith that the American people did and should have in the Department of Justice, in the Federal Bureau of Investigation, and in the government in general.

Mr. Speaker, I rise in strong support of Congress, in strong, bipartisan fashion, passing this bill so that the American people will understand that the truth will be out there and it will help fix our politics.

Mr. COLLINS of Georgia. Mr. Speaker, I continue to reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Ms. JACKSON LEE), a member of the Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, I thank the chairman very much for yielding.

I, too, add my appreciation to Mr. COLLINS' eagerness to adhere to what I think is an appropriate policy that reasserts the article I authority, if you will, of the Congress. And I think it is important for my colleagues to recognize that Americans are wondering. They are wondering. They have heard over and over again of Russian collusion. They have heard the factual affirmation that the Russians did interfere with the 2016 election and tried to interfere with the 2018 election. Therefore, it is important for them, in their concern, to be informed. They are taxpayers. We say this all the time.

□ 0945

And it is important to note that, through this investigation, the National Security Advisor and former foreign policy advisor and many others have gone to court because of Mr. Mueller.

It is indeed important to know that we have learned much because of his report, but we have not learned all. And we must overcome Attorney General Barr's hesitation, because the American people have made the point. The point is that 68 percent of them say that they would like to see this report.

Now, we know that it has been banded around that we cannot indict a President. This is not about indicting a President. But assuming, arguendo, that this regulation is correct, that someone thinks that that is constant law and the President cannot be subjected to criminal process and, therefore, cannot and should not be indicted, it is a logical fallacy to say that because he cannot be indicted by virtue of his office and because it is the Justice Department's regulation not to reveal information about unindicted parties and individuals.

The Justice Department cannot reveal any information or potential wrongdoing by the President and not reveal any information to the body that possesses the constitutional responsibility for holding this President accountable.

So let us follow good policy. Even the words of Attorney General Barr that recognizes that the DOJ's purpose is to release investigations in the public interest. This is in the public interest.

Mr. Speaker, I would suggest to all that we do this in a bipartisan way to give to the American people what they deserve and what they want.

Mr. Speaker, as a senior member of the Committee on Judiciary, which has oversight of the Department of Justice, and as a Senior Member of the Committee on Homeland Security, which has oversight over our election security infrastructure, I rise in strong support of H. Con. Res. 24.

Mr. Speaker, I rise because I believe our nation will soon be at an inflection point.

For many years now, Americans have wondered about the role of Russia's interference

in the 2016 election and whether that crime was aided and abetted by Associates of the Trump Campaign.

Americans have been concerned as we have watched a parade of colleagues and contemporaries of the President hauled before court.

This includes the President's National Security Advisor, his longtime confidante, his former foreign policy advisor, and yesterday his former campaign manager and his former campaign manager.

Indeed, the future that awaits the President's former campaign manager is bleak—he is facing 7.5 years in federal prison, and today a 16-count indictment was returned in Manhattan detailing residential mortgage fraud, conspiracy and falsifying business records.

Indeed, most if not all of what we have learned about those who surround the president has been because of the work of the Special Counsel, Robert Mueller.

It is important that whatever work Mr. Mueller has done, be shared by the American people.

This is for any number of reasons.

First of all, broad swaths of the American people want this report published.

The last public opinion poll conducted showed that 68% of Americans want this Mueller report published.

Next, the entire purpose of appointing a special counsel was because the president's first attorney General had to recuse himself because he was found to be less-than-truthful about his contacts with Kremlin officials during the 2016 campaign, on behalf of then Candidate Trump.

According to the former Acting Attorney General, the Special Counsel was appointed in order for the American people to have full confidence in the outcome of the investigation . . . the public must be assured that government officials administer the law fairly.

And thus far, Mr. Mueller's investigation has revealed the public indictment of 34 individuals, 3 companies, 7 guilty pleas and one 1 conviction following trial.

Through the work done by Mr. Mueller and his "speaking indictments," we learned that Russian military officials tried to wage an active measures campaign.

We know that the Russians manipulated our social media systems.

They did this by turning our social media platforms like Twitter and Facebook, into rowdy and unwieldy debates that turned Americans against one another.

They did this by creating fake online social media accounts and populated them on social media platforms.

After infiltrating the social media accounts of real Americans, these fake accounts sought to sow discord in these online communities by purposely exacerbating divisions within our nation and creating new ones—all with the intent of pitting Americans against one another.

While they were distorting the social media landscape, they were also selectively disseminating emails stolen from the Democratic National Committee and the campaign of Hillary Clinton with the purpose of timing the dissemination to maximize political damage on Secretary Clinton's campaign.

All the while, the President was encouraging this behavior.

And, despite protestations by the President, this is not a witch hunt—it has yielded the

public indictments of 34 individuals and 3 companies, 7 guilty pleas, and 1 conviction.

The American people are watching and paying attention.

The most recent public opinion poll shows that a super majority of Americans—a full 68%—wants the Mueller Report made public.

The Mueller Report is one unparalleled way in which Americans can learn this information with confidence.

And, finally, we must tackle a serious issue that is being discussed among elected officials and the Justice Department.

Over the past two years, we have been told that it is Justice Department regulations that a sitting President cannot be indicted. I will note that this principle has not been tested in court.

That regulation was implemented during the Watergate investigation, under the theory that the President cannot be subjected to criminal process.

But, assuming *arguendo* that this regulation is correct, and the President cannot be subjected to criminal process and therefore cannot and should not be indicted, it is a logical fallacy to say that because he cannot be indicted by virtue of his office, and because it is Justice Department regulation not to reveal information about unindicted parties and individuals, the Justice Department cannot reveal any information of potential wrongdoing by the President and not reveal any information to the body that possesses the constitutional responsibility for holding this president accountable.

For these reasons, I rise in strong support of H. Con. Res. 24, and urge my colleagues to support it and urge passage so the American people can learn how the 2016 election became a crime scene.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I would like to thank Chairman NADLER for yielding.

Mr. Speaker, my call today is for full transparency, with a clear focus on the sinister motives of Russia's corrupt leaders. Their interference in our 2016 elections has created confusion, anger, bewilderment, and division—exactly what Russia wanted.

Today's resolution calls for the Department of Justice to make Special Counsel Robert Mueller's report, along with any findings, available to the public to the maximum extent permitted by the law and to provide the report and its findings, in entirety, to the Congress of the United States of America.

So whether you have used Special Counsel Mueller as a patriot conducting a nonpartisan investigation into a foreign power's possible influence in our elections or as a witch hunt, a full accounting and public release of the findings is needed to heal our political differences.

This is not about embarrassing President Trump. This is about closure and full disclosure.

If there was no collusion, as the President has emphasized, then he should want complete transparency. Mr. Speaker, the American people deserve no less.

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

(Mr. HOYER asked and was given permission to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, last week, the House passed H.R. 1, major legislation to strengthen voter access, address the corrosive influence of dark money in politics, institute national redistricting reform, and hold public officials accountable to higher standards of ethics and transparency.

Taking the next step, this week is sunshine week on the House floor. The House has already passed several pieces of legislation this week to modernize government and increase transparency, accountability, and good governance. They include measures aimed at shining a light onto Russia's malign activities around the world and the suppression of democracy within its own borders.

The resolution we now have before us expresses the sense of Congress that the American public ought to have transparency when it comes to the investigation into Russia's interference in our elections and efforts to undermine our democracy. It says that the special counsel's report ought to be made public to the fullest extent of the law and that Congress should see all of it.

Nearly 9 in 10 Americans believe the special counsel's report should be made public, and we have heard that from Republicans in Congress as well. I hope this will be a bipartisan vote to tell the American people: You have the right to and ought to know the results of this report.

One of my Republican colleagues, Representative MIKE TURNER from Ohio, said in February the report has to be made public.

SUSAN COLLINS of Maine said: "The American people deserve to know what the findings are of Mr. Mueller."

"I believe the report should be released," said Senator COLLINS.

Mr. Speaker, I urge my colleagues to join me, Mr. NADLER, Republicans, and Democrats on supporting this resolution and in calling for transparency. Let's come together in a bipartisan vote to make it clear that the American people deserve to know the full extent of what Russia—of what Russia—has done in the objective of subverting and undermining our democratic institutions.

I thank the chair for bringing this resolution to the floor. I urge all of us to support it. Let's send a unanimous message to the Russians and to any other country or entity that would try to subvert our democratic elections that that will not be tolerated.

Mr. COLLINS of Georgia. Mr. Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentleman from Georgia has 26½ minutes remaining. The gentleman from New York has 6 minutes remaining.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, as I said today, and it is interesting to me—I think this is the funny part of this, because so many times we would come up here and we retreat to our partisan sides and we say, I am going to be a "yes"; you are going to be a "no."

The sad part about it is the gentleman from Tennessee (Mr. COHEN), my colleague, I said "yes" on Monday night. I said "yes" to the resolution on Monday night. Yet it seems like somehow, through the process: Well, we need everybody to come together.

We have talked about this. It is nothing but a restatement of the regulation.

Attorney General Barr will follow the regulation. He has said so. He has been in committee, and during his time of confirmation, he has said so.

I think what we need to understand here, and maybe we also need to throw this out here, and maybe this is something because I have heard a lot of my colleagues across the aisle talk about what they believe should be in this report. Well, maybe I have a problem and maybe a news flash to give them: What happens when it comes back and says none of this was true, the President did not do anything wrong? Then the meltdown will occur.

I heard probably, earlier, just one of my colleagues actually on the other side stated that the elections has thrown chaos into the system. No, the reason the election has thrown chaos is because President Trump won and the Democratic candidate didn't know where Wisconsin was. You all remedied that this time, though. The Democratic candidate for President will actually have been to Wisconsin by the election day next time.

There are other reasons to do this. Transparency is good.

As we go forward, my hope would be, on this issue, let's let the report be given to the Attorney General. Let's let the Attorney General do the regulations and follow the regulations and give as much as he has said in his confirmation hearing: that he wants to be transparent, he wants to be a part, he wants this to come out, because he understands the questions and the turmoil that this has caused.

So I have nothing to believe that this would not be true. There is nothing that has been presented here today to think that it wouldn't be true. That is what makes this resolution even more amazing to me: Nothing has been presented that Mr. Barr would not do what the regulations say.

Now, there may be more on it and everything else, but let's talk about what actually the resolution says, and that is what it says.

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

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

Mr. Speaker, contrary to what the gentleman from Georgia implied a few

minutes ago, that we shouldn't be wasting our time on this because it only restates what the regulations require and the Judiciary Committee ought to be spending its time more productively, I simply want to say, first, that the Democratic House majority and the Judiciary Committee are not focused on the President to the exclusion of our legislative priorities.

In the 2 months since we organized, the Judiciary Committee has passed H.R. 8, the Bipartisan Background Checks Act of 2019, through the House and has passed H.R. 1112, the Enhanced Background Checks Act of 2019, through the House. H.R. 1585, the Violence Against Women Reauthorization Act of 2019, passed through the committee. We have passed H.R. 1, the For the People Act of 2019, through the House.

The Judiciary Committee has also held a hearing to begin the process of reauthorizing the Voting Rights Act and held a hearing to examine the state of competition in the healthcare industry, as well as the T-Mobile-Sprint merger.

We have introduced H.R. 5, the Equality Act; H.R. 1327, the Never Forget the Heroes: Permanent Authorization of September 11th Victim Compensation Fund Act; and the American Dream and Promise Act of 2019, the so-called Dreamers bill.

These are some of the things we have been doing besides looking into the possible misconduct by the President.

In closing, I would like to include the following items in the RECORD:

First, the U.S. Intelligence Community report concluding that Vladimir Putin ordered a misinformation campaign directed against the 2016 Presidential election and displayed a clear preference for then-candidate Donald Trump.

ASSESSING RUSSIAN ACTIVITIES AND
INTENTIONS IN RECENT US ELECTIONS
(January 6, 2017)
KEY JUDGMENTS

Russian efforts to influence the 2016 US presidential election represent the most recent expression of Moscow's longstanding desire to undermine the US-led liberal democratic order, but these activities demonstrated a significant escalation in directness, level of activity, and scope of effort compared to previous operations.

We assess Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the US presidential election. Russia's goals were to undermine public faith in the US democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency. We further assess Putin and the Russian Government developed a clear preference for President-elect Trump. We have high confidence in these judgments.

We also assess Putin and the Russian Government aspired to help President-elect Trump's election chances when possible by discrediting Secretary Clinton and publicly contrasting her unfavorably to him. All three agencies agree with this judgment. CIA and FBI have high confidence in this judgment; NSA has moderate confidence.

Moscow's approach evolved over the course of the campaign based on Russia's under-

standing of the electoral prospects of the two main candidates. When it appeared to Moscow that Secretary Clinton was likely to win the election, the Russian influence campaign began to focus more on undermining her future presidency.

Further information has come to light since Election Day that, when combined with Russian behavior since early November 2016, increases our confidence in our assessments of Russian motivations and goals.

Moscow's influence campaign followed a Russian messaging strategy that blends covert intelligence operations—such as cyber activity—with overt efforts by Russian Government agencies, state-funded media, third-party intermediaries, and paid social media users or “trolls.” Russia, like its Soviet predecessor, has a history of conducting covert influence campaigns focused on US presidential elections that have used intelligence officers and agents and press placements to disparage candidates perceived as hostile to the Kremlin.

Russia's intelligence services conducted cyber operations against targets associated with the 2016 US presidential election, including targets associated with both major US political parties.

We assess with high confidence that Russian military intelligence (General Staff Main Intelligence Directorate or GRU) used the Guccifer 2.0 persona and DCLeaks.com to release US victim data obtained in cyber operations publicly and in exclusives to media outlets and relayed material to WikiLeaks.

Russian intelligence obtained and maintained access to elements of multiple US state or local electoral boards. DHS assesses that the types of systems Russian actors targeted or compromised were not involved in vote tallying.

Russia's state-run propaganda machine contributed to the influence campaign by serving as a platform for Kremlin messaging to Russian and international audiences.

We assess Moscow will apply lessons learned from its Putin-ordered campaign aimed at the US presidential election to future influence efforts worldwide, including against US allies and their election processes.

Mr. NADLER. Second, I include a February 22, 2019, letter to the Attorney General from six House committee chairs expressing the expectation that the Mueller report will be made public and that the Department will make the underlying investigative materials available to committees upon request.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 22, 2019.
Hon. WILLIAM P. BARR,
Attorney General, U.S. Department of Justice,
Washington, DC.

DEAR MR. ATTORNEY GENERAL: Recent reports suggest that Special Counsel Robert Mueller may be nearing the end of his investigation into “any links and/or coordination between the Russian government and individuals associated with the campaign of President Donald Trump” and other matters that may have arisen directly from the investigation. As you know, Department of Justice regulations require that, “[a]t the conclusion of the Special Counsel's work, he or she shall provide the Attorney General with a confidential report explaining the prosecution or declination decisions reached by the Special Counsel.”

After nearly two years of investigation—accompanied by two years of direct attacks on the integrity of the investigation by the President—the public is entitled to know what the Special Counsel has found. We

write to you to express, in the strongest possible terms, our expectation that the Department of Justice will release to the public the report Special Counsel Mueller submits to you—without delay and to the maximum extent permitted by law.

There also remains a significant public interest in the full disclosure of information learned by the Special Counsel about the nature and scope of the Russian government's efforts to undermine our democracy. To the extent that the Department believes that certain aspects of the report are not suitable for immediate public release, we ask that you provide that information to Congress, along with your reasoning for withholding the information from the public, in order for us to judge the appropriateness of any redactions for ourselves.

We also expect that the Department will provide to our Committees, upon request and consistent with applicable law, other information and material obtained or produced by the Special Counsel regarding certain foreign actors and other individuals who may have been the subject of a criminal or counterintelligence investigation. This expectation is well-grounded in the precedent set by the Department in recent years. In other closed and pending high-profile cases alleging wrongdoing by public officials, both the Department and the FBI have produced substantial amounts of investigative material, including classified and law enforcement sensitive information, to the House of Representatives.

Finally, although we recognize the policy of the Department to remain sensitive to the privacy and reputation interests of individuals who will not face criminal charges, we feel that it is necessary to address the particular danger of withholding evidence of misconduct by President Trump from the relevant committees.

If the Special Counsel has reason to believe that the President has engaged in criminal or other serious misconduct, then the President must be subject to accountability either in a court or to the Congress. But because the Department has taken the position that a sitting President is immune from indictment and prosecution, Congress could be the only institution currently situated to act on evidence of the President's misconduct. To maintain that a sitting president cannot be indicted, and then to withhold evidence of wrongdoing from Congress because the President will not be charged, is to convert Department policy into the means for a cover-up. The President is not above the law.

Thank you for your consideration.

Sincerely,

REP. JERROLD NADLER,
Chairman, House Committee on the Judiciary.

REP. ELLIJAH CUMMINGS,
Chairman, House Committee on Oversight and Reform.

REP. ADAM SCHIFF,
Chairman, House Permanent Select Committee on Intelligence.

REP. ELIOT ENGEL,
Chairman, House Foreign Affairs Committee.

REP. MAXINE WATERS,
Chairwoman, House Committee on Financial Services.

REP. RICHARD NEAL,
Chair, House Ways and Means Committee.

Mr. NADLER. Third, the introduction to the final report to the Deputy Attorney General concerning the 1993 confrontation at the Mount Carmel complex.

INTRODUCTION

This Report contains the findings of the Special Counsel in response to the questions directed to him by Attorney General Janet Reno in Order No. 2256-99, dated September 9, 1999. The questions pertain to the 1993 confrontation between federal law enforcement officials and the Branch Davidians at the Mt. Carmel complex near Waco, Texas. The Report is issued pursuant to Section (e) of Order No. 2256-99 which provides, in relevant part, that the Special Counsel shall submit "to the maximum extent possible . . . a final report . . . in a form that will permit public dissemination."

The Office of Special Counsel has organized the Report in the following format:

- (I) a description of the Issues investigated by the Special Counsel;
- (II) the Conclusions of the Special Counsel;
- (III) a description of the Investigative Methods used by the Special Counsel;
- (IV) a Statement of Facts relevant to the Special Counsel's investigation;
- (V) Exhibits to the text of the Report; and
- (VI) Appendices that include a narrative summary of the relevant beliefs and practices of the Branch Davidians, a summary of expert findings, a chronological table of events, and the reports of experts retained by the Office of Special Counsel.

Mr. NADLER. And fourth, the Department of Justice commentary interpreting the special counsel regulations.

DEPARTMENT OF JUSTICE
Office of the Attorney General
28 CFR Parts 0 and 600
[A.G. Order No. 2232-99]
Office of Special Counsel

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: This order amends the Code of Federal Regulations to provide regulations concerning Attorney General appointment of Special Counsel to investigate and, when appropriate, to prosecute matters when the Attorney General concludes that extraordinary circumstances exist such that the public interest would be served by removing a large degree of responsibility for a matter from the Department of Justice. These regulations replace the procedures for appointment of independent counsel pursuant to the Independent Counsel Reauthorization Act of 1994.

EFFECTIVE DATES: July 1, 1999.

FOR FURTHER INFORMATION CONTACT: John C. Keeney, Deputy Assistant Attorney General, Criminal Division, U.S. Department of Justice, Washington, DC 20530, (202) 514-2621.

SUPPLEMENTARY INFORMATION: Background

The Attorney General is promulgating these regulations to replace the procedures set out in the Independent Counsel Reauthorization Act of 1994. These regulations seek to strike a balance between independence and accountability in certain sensitive investigations, recognizing that there is no perfect solution to the problem. The balance struck is one of day-to-day independence, with a Special Counsel appointed to investigate and, if appropriate, prosecute matters when the Attorney General concludes that extraordinary circumstances exist such that the public interest would be served by removing a large degree of responsibility for the matter from the Department of Justice. The Special Counsel would be free to struc-

ture the investigation as he or she wishes and to exercise independent prosecutorial discretion to decide whether charges should be brought, within the context of the established procedures of the Department. Nevertheless, it is intended that ultimate responsibility for the matter and how it is handled will continue to rest with the Attorney General (or the Acting Attorney General if the Attorney General is personally recused in the matter); thus, the regulations explicitly acknowledge the possibility of review of specific decisions reached by the Special Counsel.

The regulations also remove §0.14, setting forth procedures for Special Independent Counsels for members of Congress. The regulations in that section have been suspended since April 19, 1989. 54 FR 15752.

Section-by-Section Discussion

Section 600.1. Grounds for Appointing a Special Counsel

"The Attorney General, or in cases in which the Attorney General is recused, the Acting Attorney General, will appoint a Special Counsel when he or she determines that criminal investigation of a person or matter is warranted and—

(a) That investigation or prosecution of that person or matter by a United States Attorney's Office or litigating Division of the Department of Justice would present a conflict of interest for the Department or other extraordinary circumstances; and

(b) That under the circumstances, it would be in the public interest to appoint an outside Special Counsel to assume responsibility for the matter."

Section 600.2. Alternatives Available to the Attorney General

"When matters are brought to the attention of the Attorney General that might warrant consideration of appointment of a Special Counsel, the Attorney General may:

(a) Appoint a Special Counsel;

(b) Direct that an initial investigation, consisting of such factual inquiry or legal research as the Attorney General deems appropriate, be conducted in order to better inform the decision; or

(c) Conclude that under the circumstances of the matter, the public interest would not be served by removing the investigation from the normal processes of the Department, and that the appropriate component of the Department should handle the matter. If the Attorney General reaches this conclusion, he or she may direct that appropriate steps be taken to mitigate any conflicts of interest, such as recusal of particular officials."

Discussion:

There are occasions when the facts create a conflict so substantial, or the exigencies of the situation are such that any initial investigation might taint the subsequent investigation, so that it is appropriate for the Attorney General to immediately appoint a Special Counsel. In other situations, some initial investigation, whether factual or legal, may be appropriate to better inform the Attorney General's decision. This provision is intended to make it clear that a variety of approaches, even in cases that might create an apparent conflict of interest, may be appropriate, depending on the facts of the matter.

Section 600.3. Qualifications of the Special Counsel

"(a) An individual named as Special Counsel shall be a lawyer with a reputation for integrity and impartial decisionmaking, and with appropriate experience to ensure both that the investigation will be conducted ably, expeditiously and thoroughly, and that investigative and prosecutorial decisions will be supported by an informed under-

standing of the criminal law and Department of Justice policies. The Special Counsel shall be selected from outside the United States Government. Special Counsels shall agree that their responsibilities as Special Counsel shall take first precedence in their professional lives, and that it may be necessary to devote their full time to the investigation, depending on its complexity and the stage of the investigation.

"(b) The Attorney General shall consult with the Assistant Attorney General for Administration to ensure an appropriate method of appointment, and to ensure that a Special Counsel undergoes an appropriate background investigation and a detailed review of ethics and conflicts of interest issues. A Special Counsel shall be appointed as a 'confidential employee' as defined in 5 U.S.C. 7511(b)(2)(C)."

Section 600.4. Jurisdiction

"(a) Original Jurisdiction. The jurisdiction of a Special Counsel shall be established by the Attorney General. The Special Counsel will be provided with a specific factual statement of the matter to be investigated. The jurisdiction of a Special Counsel shall also include the authority to investigate and prosecute federal crimes committed in the course of, and with intent to interfere with, the Special Counsel's investigation, such as perjury, obstruction of justice, destruction of evidence, and intimidation of witnesses; and to conduct appeals arising out of the matter being investigated and/or prosecuted.

"(b) Additional Jurisdiction. If in the course of his or her investigation the Special Counsel concludes that additional jurisdiction beyond that specified in his or her original jurisdiction is necessary in order to fully investigate and resolve the matters assigned, or to investigate new matters that come to light in the course of his or her investigation, he or she shall consult with the Attorney General, who will determine whether to include the additional matters within the Special Counsel's jurisdiction or assign them elsewhere."

Discussion:

Under these regulations, it is intended that a Special Counsel's jurisdiction will be stated as an investigation of specific facts. The regulations also recognize, however, that accommodations can be made as necessary throughout the course of the investigation, with the Attorney General's approval. This provision establishes a protocol whereby Special Counsels are provided with an appropriate description of the boundaries of their investigation, with the full recognition that adjustments to that jurisdiction may be required.

Paragraph (b) establishes a single procedure through which a variety of different jurisdictional issues can be resolved. For example, a Special Counsel assigned responsibility for an alleged false statement about a government program may request additional jurisdiction to investigate allegations of misconduct with respect to the administration of that program; a Special Counsel may conclude that investigating otherwise unrelated allegations against a central witness in the matter is necessary to obtain cooperation; or a Special Counsel may come across evidence of additional, unrelated crimes by targets of his or her investigation. Rather than leaving the issue to argument and misunderstanding as to whether the new matters are included within a vague category of "related matters," the regulations clarify that the decision as to which component would handle such new matters would be made by the Attorney General. The Special Counsel would report such matters to the Attorney General, and the Attorney General would decide whether to grant the Special

Counsel jurisdiction over the additional matters.

“(c) Civil and Administrative Jurisdiction. If in the course of his or her investigation the Special Counsel determines that administrative remedies, civil sanctions or other governmental action outside the criminal justice system might be appropriate, he or she shall consult with the Attorney General with respect to the appropriate component to take any necessary action. A Special Counsel shall not have civil or administrative authority unless specifically granted such jurisdiction by the Attorney General.”

Discussion:

Paragraph (c) is intended to clarify that the Special Counsel's jurisdiction will cover only the criminal aspects of the matters within his or her jurisdiction, unless other jurisdiction is specifically granted by the Attorney General.

Section 600.5. Staff

“A Special Counsel may request the assignment of appropriate Department employees to assist the Special Counsel. The Department shall gather and provide the Special Counsel with the names and resumes of appropriate personnel available for detail. The Special Counsel may also request the detail of specific employees, and the office for which the designated employee works shall make reasonable efforts to accommodate the request. The Special Counsel shall assign the duties and supervise the work of such employees while they are assigned to the Special Counsel. If necessary, the Special Counsel may request that additional personnel be hired or assigned from outside the Department. All personnel in the Department shall cooperate to the fullest extent possible with the Special Counsel.”

Discussion:

This provision, providing for the assignment of appropriate personnel to assist the Special Counsel, also includes assignment of needed investigative resources from the Federal Bureau of Investigation. It is anticipated that most personnel will be Department of Justice employees provided by detail to the Special Counsel, although the regulation provides for additional employment from outside the Department when necessary.

Section 600.6. Powers and Authority

“Subject to the limitations in the following paragraphs, the Special Counsel shall exercise, within the scope of his or her jurisdiction, the full power and independent authority to exercise all investigative and prosecutorial functions of any United States Attorney. Except as provided in this part, the Special Counsel shall determine whether and to what extent to inform or consult with the Attorney General or others within the Department about the conduct of his or her duties and responsibilities.”

Section 600.7. Conduct and Accountability

“(a) A Special Counsel shall comply with the rules, regulations, procedures, practices and policies of the Department of Justice. He or she shall consult with appropriate offices within the Department for guidance with respect to established practices, policies and procedures of the Department, including ethics and security regulations and procedures. Should the Special Counsel conclude that the extraordinary circumstances of any particular decision would render compliance with required review and approval procedures by the designated Departmental component inappropriate, he or she may consult directly with the Attorney General.”

Mr. NADLER. I would also like to say, Mr. Speaker, that one reason for this resolution, given the fact that Mr. Barr, the Attorney General, has, in

fact, said that he would want to release as much as possible—and we appreciate that statement—but he and Mr. Rosenstein, the Deputy Attorney General, as I mentioned in my opening remarks, have both cited the Department policy not to comment on the conduct of someone not indicted.

That leads us to expect that a misapplication of the normal Department policy to a sitting President of not commenting on someone who is not indicted, the application of that normally good policy to a sitting President who the Department believes cannot be indicted because he is a sitting President, would, in fact, greatly limit the ability of the Department or the willingness of the Department to release information in the report to the Congress and to the public.

One of the reasons for this resolution is that we want to say, no, you cannot use that normally salutary policy to convert the Department's policy of never indicting a sitting President into a coverup that you can't comment or give to the Congress information about that.

If you can't indict a sitting President and you can't give the information to Congress, then you are holding the President above the law, and you are frustrating Congress' ability to do its job of holding an administration accountable.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. HURD).

□ 1000

Mr. HURD of Texas. Mr. Speaker, I thank the chairman for his indulgence.

Mr. Speaker, I rise in support of this resolution because I want the whole truth and nothing but the truth to come to light in this matter; I want to know what Vladimir Putin did to our electoral process; I want to know the failures of the Obama administration in reacting to this attack in real time; I want any Americans complicit to face severe consequences; and I want the American people to know as much as they can and see as much as they can.

As a member of the House Permanent Select Committee on Intelligence, I support the efforts and the request for all information pertaining to this investigation to be open to the public. That includes all witness lists, every interview transcript, and every document provided.

The taxpayers paid millions for this information, and they should get to see all of it and not just the assessment of one person.

This resolution should have been broader; it should have been deeper; and it should have covered everything dealing with the investigation. But it is a step in the right direction.

I hope my colleagues on the other side of the aisle accept the calls for all the information to be made public because full transparency is the only way to prevent future speculation. Full transparency is the only way to prevent future innuendo.

Mr. Speaker, I urge a “yes” vote.

Mr. NADLER. Mr. Speaker, I yield 15 seconds to the gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Mr. Speaker, I just want to say thank you to the chairman. I appreciate it. Mr. HURD was on his way over here. I did my best song and dance. It didn't last long enough. I am from the South. I am bad because I can't dance that well. So I appreciate the gentleman giving him that moment.

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

Mr. Speaker, for all the reasons stated by all the people who spoke in favor of this resolution, myself and everyone else, I urge adoption of the resolution. I urge everyone to vote for it. It is a very important resolution to maintain the rule of law in this country.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 208, the previous question is ordered on the concurrent resolution and preamble, as amended.

The question is on adoption of the concurrent resolution.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on adoption of the concurrent resolution will be followed by a 5-minute vote on agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 420, nays 0, answered “present” 4, not voting 7, as follows:

[Roll No. 125]

YEAS—420

Abraham	Brooks (AL)	Clyburn
Adams	Brooks (IN)	Cohen
Aderholt	Brown (MD)	Cole
Aguilar	Brownley (CA)	Collins (GA)
Allen	Buchanan	Collins (NY)
Allred	Buck	Comer
Amodei	Bucshon	Conaway
Armstrong	Budd	Connolly
Arrington	Burchett	Cook
Axne	Burgess	Cooper
Babin	Bustos	Correa
Bacon	Butterfield	Costa
Baird	Byrne	Courtney
Balderson	Calvert	Cox (CA)
Banks	Carbajal	Craig
Barr	Cárdenas	Crawford
Barragán	Carson (IN)	Crenshaw
Bass	Carter (GA)	Crist
Beatty	Carter (TX)	Crow
Bera	Cartwright	Cuellar
Bergman	Case	Cummings
Beyer	Casten (IL)	Cunningham
Biggs	Castor (FL)	Curtis
Bilirakis	Castro (TX)	Davids (KS)
Bishop (GA)	Chabot	Davidson (OH)
Bishop (UT)	Cheney	Davis (CA)
Blumenauer	Chu, Judy	Davis, Danny K.
Blunt Rochester	Cicilline	Davis, Rodney
Bonamici	Cisneros	Dean
Bost	Clark (MA)	DeFazio
Boyle, Brendan	Clarke (NY)	DeGette
F.	Clay	DeLauro
Brady	Cline	DeBene
Brindisi	Cloud	Delgado

Demings Kelly (PA)
 DeSaulnier Kennedy
 DesJarlais Khanna
 Deutch Kildee
 Diaz-Balart Kilmer
 Dingell Kim
 Doggett Kind
 Doyle, Michael King (IA)
 F. King (NY)
 Duffy Kinzinger
 Duncan Kirkpatrick
 Dunn Krishnamoorthi
 Emmer Kuster (NH)
 Engel Kustoff (TN)
 Escobar LaHood
 Eshoo LaMalfa
 Espaillat Lamb
 Estes Lamborn
 Evans Langevin
 Ferguson Larsen (WA)
 Finkenauer Larson (CT)
 Fitzpatrick Latta
 Fleischmann Lawrence
 Fletcher Lawson (FL)
 Flores Lee (CA)
 Fortenberry Lee (NV)
 Foster Lesko
 Foxx (NC) Levin (CA)
 Frankel Levin (MI)
 Fudge Lewis
 Fulcher Lieu, Ted
 Gabbard Lipinski
 Gallagher Loeb sack
 Gallego Long
 Garamendi Loudermilk
 Garcia (IL) Lowenthal
 Garcia (TX) Lowey
 Gianforte Lucas
 Gibbs Luetkemeyer
 Gohmert Luján
 Golden Luria
 Gomez Lynch
 Gonzalez (OH) Malinowski
 Gonzalez (TX) Maloney,
 Gooden Carolyn B.
 Gottheimer Maloney, Sean
 Granger Marchant
 Graves (GA) Mast
 Graves (LA) Matsui
 Graves (MO) McAdams
 Green (TN) McBath
 Green (TX) McCarthy
 Griffith McCaul
 Grijalva McClintock
 Grothman McCollum
 Guest McGovern
 Guthrie McHenry
 Haaland McKinley
 Hagedorn McNeerney
 Harder (CA) Meadows
 Harris Meeks
 Hartzler Meng
 Hayes Meuser
 Heck Miller
 Hern, Kevin Mitchell
 Herrera Beutler Moolenaar
 Hice (GA) Mooney (WV)
 Higgins (LA) Moore
 Higgins (NY) Morelle
 Hill (AR) Moulton
 Hill (CA) Mucarsel-Powell
 Himes Mullin
 Holding Murphy
 Hollingsworth Nadler
 Horn, Kendra S. Napolitano
 Horsford Neal
 Houlahan Neguse
 Hoyer Newhouse
 Hudson Norcross
 Huffman Norman
 Huizenga Nunes
 Hunter O'Halleran
 Hurd (TX) Ocasio-Cortez
 Jackson Lee Olson
 Jayapal Omar
 Jeffries Palazzo
 Johnson (GA) Pallone
 Johnson (LA) Palmer
 Johnson (OH) Panetta
 Johnson (SD) Pappas
 Johnson (TX) Pascrell
 Jordan Payne
 Joyce (OH) Pence
 Joyce (PA) Perlmutter
 Kaptur
 Katko
 Keating
 Kelly (IL)
 Kelly (MS)

Pocan
 Porter
 Posey
 Pressley
 Price (NC)
 Quigley
 Raskin
 Reed
 Reschenthaler
 Rice (NY)
 Rice (SC)
 Richmond
 Rigglesman
 Roby
 Rodgers (WA)
 Roe, David P.
 Rogers (AL)
 Rogers (KY)
 Rooney (FL)
 Rose (NY)
 Rose, John W.
 Rouda
 Rouzer
 Roy
 Roybal-Allard
 Ruiz
 Ruppersberger
 Rush
 Rutherford
 Ryan
 Sánchez
 Sarbanes
 Scalise
 Scanlon
 Schakowsky
 Schiff
 Schneider
 Schrader
 Schrier
 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)
 Smucker
 Soto
 Spanberger
 Spano
 Speier
 Stanton
 Stauber
 Stefanik
 Steil
 Steube
 Stevens
 Stewart
 Stivers
 Suozzi
 Swalwell (CA)
 Takano
 Taylor
 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

Walker
 Walorski
 Waltz
 Wasserman
 Schultz
 Waters
 Watkins
 Watson Coleman
 Weber (TX)
 Webster (FL)
 Welch
 Wenstrup
 Westerman
 Weston
 Wild
 Williams
 Wilson (FL)
 Wilson (SC)
 Wittman
 Womack
 Woodall
 Wright
 Yarmuth
 Yoho
 Young
 Zeldin

ANSWERED "PRESENT"—4

NOT VOTING—7

□ 1030

Messrs. BRADY and BUCK changed their vote from "nay" to "yea."

Mr. GAETZ changed his vote from "yea" to "present."

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CLEAVER. Mr. Speaker, I regrettably missed votes on Thursday, March 14, 2019. I had intended to vote "yes" on rollcall vote No. 125.

Mr. SCHWEIKERT. Mr. Speaker, I was absent from the House floor during today's rollcall vote on H. Con. Res. 24. Had I been present, I would have voted "yea" on rollcall No. 125.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

ADJOURNMENT FROM THURSDAY, MARCH 14, 2019, TO MONDAY, MARCH 18, 2019

Mr. CICILLINE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday, March 18, 2019.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1004

Mr. CICILLINE. Mr. Speaker, I ask unanimous consent to remove Representative TOM RICE as a cosponsor from H.R. 1004.

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

There was no objection.

REQUEST TO CONSIDER H.R. 962, BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT

Mr. STEWART. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 962, the Born-Alive Abortion Survivors Protection Act, and ask for its immediate consideration in the House.

The SPEAKER pro tempore. The gentleman is advised that a unanimous consent request for the consideration of that measure would have to receive clearance from the majority and the minority floor and committee leaderships.

The Chair is unaware at this time of any such clearance. Therefore, the Chair cannot and will not entertain that request at this time.

Mr. STEWART. Mr. Speaker, I urge to immediately schedule this important bill.

DOMESTIC AND SEXUAL VIOLENCE

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

Ms. DEAN. Mr. Speaker, domestic violence is an insidious problem that affects far too many people across our country.

One in four women and one in seven men will be the victim of violence by an intimate partner in their lifetime.

Sadly, the scourge of domestic and sexual violence affects our communities, our schools, our servicemembers, and threatens the well-being of women, men, children, the LGBTQ community, our veterans, and others.

But through education and legislative action like reauthorizing the Violence Against Women Act, or VAWA, we can and have made a difference.

Since its passage 25 years ago through 2012, the rate of domestic violence decreased by 63 percent. From 1996 to 2015, the rate of women murdered by men in a single-victim/single-offender incident dropped by 29 percent.

This week, we voted in the Judiciary Committee to reauthorize this life-saving legislation.

I look forward to bringing VAWA to the floor so that families may be protected from the tragedy of domestic and sexual violence; so that young women like my granddaughter, Aubrey, feel safe to focus on the things that are most important, like claiming her education, her career, and her happy life ahead of her.

Mr. Speaker, I encourage my colleagues to support this important legislation.

RECOGNIZING JEANNETTE RANKIN DURING WOMEN'S HISTORY MONTH

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