

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. NADLER) 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 402, nays 1, not voting 28, as follows:

[Roll No. 584]

YEAS—402

Abraham	Curtis	Horn, Kendra S.
Adams	Davidson (OH)	Horsford
Aderholt	Davis (CA)	Houlahan
Aguilar	Davis, Danny K.	Hoyer
Allen	Davis, Rodney	Hudson
Allred	Dean	Huffman
Arrington	DeFazio	Huizenga
Axne	DeGette	Hunter
Babin	DeLauro	Hurd (TX)
Bacon	DelBene	Jackson Lee
Baird	Delgado	Jayapal
Balderson	Demings	Jeffries
Banks	DeSaulnier	Johnson (GA)
Barr	DesJarlais	Johnson (LA)
Barragán	Deutch	Johnson (OH)
Beatty	Diaz-Balart	Johnson (SD)
Bera	Dingell	Johnson (TX)
Bergman	Doggett	Jordan
Beyer	Doyle, Michael	Joyce (OH)
Biggs	F.	Kaptur
Bishop (GA)	Duncan	Katko
Bishop (NC)	Dunn	Keating
Bishop (UT)	Emmer	Kelly (IL)
Blumenauer	Engel	Kelly (MS)
Blunt Rochester	Escobar	Kennedy
Bonamici	Eshoo	Khanna
Bost	Españillat	Kildee
Boyle, Brendan	Evans	Kilmer
F.	Ferguson	Kim
Brady	Finkenauer	King (IA)
Brindisi	Fitzpatrick	King (NY)
Brooks (AL)	Fleischmann	Kinzinger
Brooks (IN)	Fletcher	Kirkpatrick
Brown (MD)	Flores	Krishnamoorthi
Brownley (CA)	Fortenberry	Kuster (NH)
Buchanan	Foster	Kustoff (TN)
Buck	Foxx (NC)	LaHood
Bucshon	Frankel	LaMalfa
Budd	Fudge	Lamb
Burchett	Fulcher	Lamborn
Burgess	Gaetz	Langevin
Bustos	Gallagher	Larsen (WA)
Butterfield	Gallego	Larson (CT)
Byrne	Garamendi	Latta
Calvert	Garcia (IL)	Lawrence
Carbajal	Garcia (TX)	Lawson (FL)
Cárdenas	Gianforte	Lee (CA)
Carson (IN)	Gibbs	Lee (NV)
Carter (GA)	Gohmert	Lesko
Carter (TX)	Golden	Levin (CA)
Cartwright	Gomez	Levin (MI)
Case	Gonzalez (OH)	Lewis
Casten (IL)	Gonzalez (TX)	Lieu, Ted
Castor (FL)	Gooden	Lipinski
Castro (TX)	Gosar	Loebsack
Chabot	Gottheimer	Loftgren
Cheney	Granger	Long
Chu, Judy	Graves (GA)	Loudermilk
Ciulline	Graves (LA)	Lowenthal
Cisneros	Graves (MO)	Lowe
Clark (MA)	Green (TN)	Lucas
Clarke (NY)	Green, Al (TX)	Luetkemeyer
Clay	Griffith	Luján
Cline	Grijalva	Luria
Cloud	Guest	Lynch
Clyburn	Guthrie	Malinowski
Cohen	Haaland	Maloney,
Cole	Hagedorn	Carolyn B.
Comer	Harder (CA)	Maloney, Sean
Conaway	Harris	Marchant
Connolly	Hartzler	Marshall
Cook	Hastings	Massie
Cooper	Hayes	Mast
Correa	Heck	Matsui
Costa	Hern, Kevin	McAdams
Courtney	Herrera Beutler	McBath
Cox (CA)	Hice (GA)	McCarthy
Craig	Higgins (LA)	McCaul
Crawford	Higgins (NY)	McClintock
Crenshaw	Hill (AR)	McCollum
Crist	Hill (CA)	McGovern
Crow	Himes	McHenry
Cuellar	Holding	McKinley
Cunningham	Hollingsworth	McNerney

Meadows	Rogers (AL)	Taylor
Meeks	Rogers (KY)	Thompson (CA)
Meng	Rooney (FL)	Thompson (MS)
Miller	Rose (NY)	Thornberry
Moolenaar	Rose, John W.	Tipton
Mooney (WV)	Rouda	Titus
Moore	Rouzer	Tlaib
Morelle	Roy	Tonko
Moulton	Roybal-Allard	Torres (CA)
Mucarsel-Powell	Ruiz	Torres Small
Mullin	Ruppersberger	(NM)
Murphy (FL)	Rush	Trahan
Murphy (NC)	Rutherford	Trone
Nadler	Ryan	Turner
Napolitano	Sánchez	Underwood
Neal	Sarbanes	Upton
Neguse	Scalise	Van Drew
Newhouse	Scanlon	Vargas
Norcross	Schakowsky	Veasey
Nunes	Schiff	Vela
O'Halleran	Schneider	Velázquez
Ocasio-Cortez	Schrader	Visclosky
Olson	Schrier	Wagner
Omar	Schweikert	Walberg
Palazzo	Scott (VA)	Walden
Pallone	Scott, Austin	Walker
Palmer	Scott, David	Walorski
Panetta	Sensenbrenner	Waltz
Pappas	Serrano	Wasserman
Pascrell	Sewell (AL)	Schultz
Payne	Shalala	Waters
Pence	Sherman	Watkins
Perlmutter	Sherrill	Watson Coleman
Perry	Shimkus	Weber (TX)
Peterson	Simpson	Webster (FL)
Phillips	Sires	Welch
Pingree	Slotkin	Wenstrup
Pocan	Smith (MO)	Westerman
Porter	Smith (NE)	Wexton
Posey	Smith (NJ)	Wild
Pressly	Smith (WA)	Williams
Price (NC)	Soto	Wilson (FL)
Quigley	Spanberger	Wilson (SC)
Ratcliffe	Spano	Wittman
Reed	Speier	Womack
Rice (NY)	Stanton	Woodall
Rice (SC)	Staub	Wright
Richmond	Stefanik	Yarmuth
Riggleman	Stevens	Yoho
Roby	Stewart	Young
Rodgers (WA)	Suozi	Zeldin
Roe, David P.	Swalwell (CA)	

NAYS—1

Amash

NOT VOTING—28

Amodei	Joyce (PA)	Reschenthaler
Armstrong	Keller	Smucker
Bass	Kelly (PA)	Steil
Bilirakis	Kind	Steube
Cleaver	McEachin	Stivers
Collins (GA)	Meuser	Takano
Dauids (KS)	Mitchell	Thompson (PA)
Estes	Norman	Timmons
Gabbard	Peters	
Grothman	Raskin	

□ 1831

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.

PERSONAL EXPLANATION

Mr. PETERS. Madam Speaker, had I been present, I would have voted: "yea" on rollcall No. 568 (H. Res. 630 final passage); "yea" on rollcall No. 569 (H.R. 4406 final passage); "yea" on rollcall No. 570 (H.R. 4407 final passage); "yea" on rollcall No. 577 (H.R. 2513 final passage); "yea" on rollcall No. 578 (H.R. 2426 final passage); "yea" on rollcall No. 583 (H.R. 4617 final passage); and "yea" on rollcall No. 584 (H.R. 777 final passage).

PERSONAL EXPLANATION

Mr. TAKANO. Madam Speaker, please accept the following vote recommendations in my absence as I represent the United States at the formal ascension of the Emperor in

Japan. Had I been present, I would have voted: "yea" on rollcall No. 579, "yea" on rollcall No. 580, "nay" on rollcall No. 581, "nay" on rollcall No. 582, "yea" on rollcall No. 583, and "yea" on rollcall No. 584.

MOMENT OF SILENCE HONORING 241 AMERICAN HEROES KILLED IN 1983 BEIRUT BARRACKS BOMBING

(Mr. PENCE asked and was given permission to address the House for 1 minute.)

Mr. PENCE. Madam Speaker, friends, colleagues, and distinguished guests in the gallery, we are gathered here today on the 36th anniversary of the 1983 Beirut barracks bombing to honor 241 American heroes who made the ultimate sacrifice.

The 241 names—220 of which are my fellow Marines—will be forever etched in our hearts and on the walls of the Beirut Memorial in Jacksonville, North Carolina.

Although you may not recognize these names, they are the names of sons, brothers, fathers, and friends. They are the names of true American patriots who came in peace and were stolen from us by an act of pure evil. They are the heroes who gave their lives so we could keep ours.

Semper fidelis means "always faithful." It is the motto of the United States Marine Corps. Today, we remember the 241 fallen heroes of Beirut. Today, we remain faithful.

Madam Speaker, I ask that all Members and distinguished guests in the gallery rise for a moment of silence.

HOUR OF MEETING ON TOMORROW, AND ADJOURNMENT FROM THURSDAY, OCTOBER 24, 2019, TO MONDAY OCTOBER 28, 2019

Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow; and further, when the House adjourns on that day, it adjourn to meet on Monday, October 28, 2019, when it should convene at noon for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore (Mr. ROUDA). Is there objection to the request of the gentleman from Maryland? There was no objection.

LEGISLATIVE PROGRAM

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

Mr. SCALISE. Mr. Speaker, I rise for the purpose of inquiring of the majority leader the schedule for next week. I would be happy to yield to my friend, the gentleman from Maryland (Mr. HOYER), the distinguished majority leader of the House.

Mr. HOYER. Mr. Speaker, I thank my friend from Louisiana for yielding.

On Monday, Mr. Speaker, the House will meet at 12 p.m. for morning-hour debate and 2 p.m. for legislative business, with votes postponed until 6:30 p.m.

On Tuesday and Wednesday, the House will meet at 10 a.m. for morning-hour debate, and 12 p.m. for legislative business.

On Thursday, the House will meet at 9 a.m. for legislative business; the last votes of the week are expected no later than 3 p.m.

We will consider several bills under suspension of the rules. The complete list of suspensions will be announced by close of business on Friday.

The House will consider H.R. 823, the Colorado Outdoor Recreation and Economy Act; H.R. 2181, the Chaco Cultural Heritage Area Protection Act; and H.R. 1373, the Grand Canyon Centennial Protection Act. These three bills all recognize the need to protect some of America's most iconic and important public lands.

The House, Mr. Speaker, will also consider H.R. 4695, the Protect Against Conflict by Turkey Act. This bipartisan legislation, cosponsored by the chair and ranking member of the Committee on Foreign Affairs, provides a strong, targeted response to the crisis caused by Turkey's invasion of Northern Syria.

It sanctions senior Turkish officials involved in the decision and those committing human rights abuses, and penalizes Turkish financial institutions involved in perpetuating President Erdogan's practices.

Lastly, the House will consider H.Res 296 affirming the United States' record on the Armenian Genocide.

Mr. SCALISE. Mr. Speaker, I thank the gentleman for his response.

I would like the gentleman to walk through, if he could, the scheduling process for how the House will further proceed with the impeachment inquiry.

Mr. HOYER. Will the gentleman yield?

Mr. SCALISE. I yield to the gentleman.

Mr. HOYER. Mr. Speaker, I cannot respond to that at this point in time. We haven't made that decision to move ahead. The committees, as the gentleman knows, are considering it, and if they decide that the House should move forward, then we will make that decision.

Mr. SCALISE. Mr. Speaker, I, again, ask the question I had asked last week:

Are we currently in an impeachment inquiry, as the Speaker said we are a few weeks ago?

Mr. HOYER. Mr. Speaker, I will respond as I responded last week. We are doing our constitutional duty of oversight of the administration and the actions of the President of the United States to determine whether or not there had been violations of law, whether the President has committed high crimes and misdemeanors. And when those hearings are concluded, obviously, they will make some deter-

mination and make recommendations to the House, as they do with other matters that the committees consider.

Mr. SCALISE. Mr. Speaker, I thank the gentleman. As this determination moves forward, there is a growing cry for fairness. And I know we talked a little bit about that last week, but we saw it again this week with more closed hearings, more hearings where both sides were not allowed the same equal rights that have always been provided in impeachment inquiries.

And, of course, when you look through our Nation's history, fortunately, there are not that many instances where Congress had to try to impeach or inquire about impeaching a President—three times.

In fact, in all three cases, it started with a vote of the full House, and it started with a fair set of rules. And in the last two that were the most public, where you saw the proceedings on television, you saw both sides vote for Nixon, where you had a divided government. You had a Democrat House and a Republican President.

And then, for the Clinton impeachment, you had a Republican House and a Democrat President. They used the same set of rules. Both sides got to call witnesses, both sides got to subpoena. The President's legal counsel actually got to be in the room and, maybe most importantly, the public got to be in the room.

Members of Congress, even if they weren't on the relevant committees, were allowed to watch these hearings. That is not going on today. These hearings are going on in secret in a secret room.

A number of my colleagues and I went down to see what was going on, to see the hearings and the proceedings. It turned out, what we found out in the SCIF, which is designed for classified briefings, it wasn't a classified briefing. The chairman, himself, acknowledged that it was not a classified briefing. In fact, it included a Department of Defense official. And members of the Committee on Armed Services asked if they would be able to participate in that hearing, and they were denied the ability.

And so when the press can't see what's going on, when the public can't see what's going on, when Members of Congress try to see what is going on, and the chairman takes the witness and runs out of the room, it begs the question, "What are they trying to hide."

What kind of tainted document are they creating, if it is an impeachment inquiry?

And if it is not, then stop trying to use two different sets of rules. But if it is—and the Speaker, herself, is the one who said it is an impeachment inquiry—at a minimum, use the same standards that have always been used for that serious of a process. The House of Representatives has a constitutional ability to ultimately make this kind of decision.

And, again, it has only been done three times, but in each of those cases, there were fair sets of rules used, so that you could actually find out what was happening. And if there was something that reached the level of high crimes and misdemeanors, it was not based on what one person decided, but based on everybody being able to present the evidence, everybody being able to bring witnesses forward. That is not happening right now, and it ought to change.

And I would hope, and ask the gentleman, if this is going to continue moving forward, if there is going to be any credibility to whatever report would come out of it.

There is much less credibility if it is done in secret with one person and one person only getting to choose who comes forth to testify, as opposed to an open process, as has always been the case in our country's history.

Mr. Speaker, I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, no matter how many times the gentleman from Louisiana, the Republican whip, says that these are unfair hearings, or that they are secret hearings, or that Republicans can't participate, no matter how many times he says that, it will not be true.

□ 1845

He talks about secret hearings. I will show you the front page of The Washington Post about the hearing yesterday. It is on the front page.

Now, I know your Members can read. There are over 105 Members, 40 or so of your Members, who are authorized to sit in the committee.

The President, Mr. Speaker, called the Republicans, and he has tweeted about how they need to be tougher.

What I want to ask, Mr. Speaker, is: When are they going to focus on defending the Constitution of the United States?

I ask the gentleman: Does he believe that the President is above the law?

Mr. SCALISE. Mr. Speaker, I would imagine the gentleman would also agree that the chairman of the Intelligence Committee should also not be above the law. He should not be able to write his own rules of impeachment, his own rules of engagement, in secret.

These meetings are being held in secret. In fact, when some of us went into the room today, he ran out with the witness.

What are you trying to hide when, as any kind of secret hearing, people run out of the room as soon as the lights come on? What is really going on?

If you want to talk about numbers—Mr. HOYER. Read the paper.

Mr. SCALISE. The sad part is, the only way you can find out what happens in those secret hearings is reading the paper because somebody on the majority staff is, against the direction of the chairman, selectively leaking information to the press.

The press knows more about this impeachment inquiry than voting Members of Congress. Mr. Speaker, 75 percent of this Congress is denied access to those hearings, 75 percent.

Maybe you can read what was leaked by somebody on your majority staff, Mr. Speaker. Maybe that is where you can get your information because that is the only place to get information. That shouldn't be where Members of Congress have to go to find out what happened.

By the way, you talk to some of the people who were in the room, and they were directed by the chairman not to say anything. He can say something or somebody on his staff can say something, and he hasn't done anything to control the leaks. But then they say, actually, there was a lot of other testimony that contradicted what was leaked to the paper. But nobody really knows because they are denied access.

Do you know, if you take the voting Members of Congress who are not allowed in that room, it represents over 230 million American citizens who are denied representation in those impeachment hearings, over 230 million Americans who are denied access because 75 percent of voting Members of Congress are not allowed in the room?

You can talk about who is allowed in the room. Everybody should be allowed in the room. The press should be allowed in the room. Cameras should be in the room, like in previous impeachments.

If you want to try to remove a President—maybe you don't agree with the 2016 election result, and you are concerned about what might happen next year. That is not why you impeach a President, by the way.

But if you really do want to search for the truth, you search for the truth in public. The people of this country ought to be able to see what is happening. It shouldn't be a selected story in the newspaper that was leaked by the majority staff. It should be something every Member of Congress who is going to be asked to vote on this actually can find something out about.

We can't go and read the transcripts. Seventy-five percent of us can't. Yet, that is the process that is going on right now.

If you want to call that fair, maybe it is fair to you, but is it really the justice that we look for across the street at the Supreme Court?

Imagine if only one side—the accused couldn't present witnesses. You could accuse anybody of anything. And you have that ability, as you are doing right now, and then you tie the hands behind the back of those you are accusing because they can't even be in the room.

The other side can't even bring witnesses forward. There are witnesses that our Members would like to bring forward who were in that room, yet they are not even allowed that opportunity. That is not fair. Maybe in the Soviet Union that is fair, but not in the United States of America.

It is not how you should be running an impeachment operation to try to take out a President of the United States when we have an election next year. Let the people of this country make that decision, not one person sitting in a secret room downstairs, keeping other people out. When Members of Congress who are trying to find out what is going on walk in the room, he runs out of the room with the witness.

Is that really the fair process that this country deserves? It falls well short. We can absolutely do better than this.

Mr. Speaker, I yield to the gentleman.

Mr. HOYER. Mr. Speaker, as usual, the whip did not answer my question. I said, is the President above the law?

But he wants to pound on the table, Mr. Speaker, because neither the facts nor the law is on his side.

The process is consistent with the rules put in place by the current Secretary of State, Mr. Pompeo, and Mr. Trey Gowdy, who was a Member of this body.

Let me ask the gentleman, Mr. Speaker: Does he believe it appropriate that the Congress appropriates \$391 million to help an ally confront Russia—which I understand Mr. Putin probably wasn't for—but does he believe that the President should have withheld that money from Ukraine to defend itself on its eastern front?

Mr. SCALISE. Mr. Speaker, the law requires the President to verify that there is not corruption involved with the taxpayer money that is in question. That is a law we passed. I believe the gentleman from Maryland voted, as I did vote, for that law. It is a good law to say that if we are going to send taxpayer money to a foreign country, we ought to make sure that there is no corruption.

There were claims of corruption in Ukraine. In fact, a lot of the interference in our election by the Russians went through Ukraine in 2016.

Now, President Trump wasn't the President back then when this country was allowing Russia to interfere with the election.

Mr. HOYER. He has no evidence of that. If the gentleman will yield, he has no evidence of that.

Mr. SCALISE. But he is looking into it, as he should be.

Mr. HOYER. He makes a bald-faced assertion that he has no way to back up.

Mr. SCALISE. Mr. Speaker, I yield to the gentleman.

Mr. HOYER. It is not true, in my opinion, but he has no way to back up that statement, and I think the gentleman must know that.

Mr. SCALISE. Again, we can talk about why we needed to root out corruption, why we want to find out what happened in the 2016 election where the Russians tried to interfere, because we don't want it to happen again.

We also know, as it was discussed on that phone call, that President Trump

sold Javelin missiles to Ukraine so they could protect themselves against the Russians, the aggression that the gentleman was talking about on the eastern front, where the previous President allowed the Russians to come into Crimea when Ukraine was asking us to help them.

Ukraine, back when President Obama was in office, was asking us to sell them those same Javelin missiles, and President Obama wouldn't do it. He has never answered why he wouldn't, but it is a fact that he didn't sell the Javelins. But President Trump did and allowed Ukraine to defend themselves against the Russians.

In fact, they talked about maybe buying more, but they were already allowed to buy what they needed to defend themselves, and I am glad they were. It helped a friend.

But you talk about all of those things that are going on right now with impeachment. The real issue is what is not happening here in this Congress.

I will refer you to a different newspaper, as you want to talk about newspapers, the front page of The Washington Times: Democrats writing more subpoenas than laws. Impeachment inquiries sideline Pelosi's agenda.

In fact, if you look at the difference between subpoenas and bills that came out of this House that are actually signed into law, you have produced 56 subpoenas. You have produced only 46 laws. That is 20 percent more subpoenas that you have produced than laws to help people across this country.

Mr. HOYER. Would the gentleman like to know the reason for that?

Mr. SCALISE. I would be happy to yield when we talk about all the things that this House could be doing that it is not, like lowering drug prices, like getting better trade deals with our friends in Mexico and in Canada and in all the other countries that are lined up that would love to come behind USMCA that can't right now.

They can't because there is this infatuation with impeachment, in a one-sided way, in a closed way, in a Soviet-style Star Chamber.

But that is not happening right now. This is what is not happening; this is what is happening. It is not what the American people expected out of this majority.

Mr. Speaker, I yield to the gentleman.

Mr. HOYER. I thank the gentleman for yielding. It is a wonderful poster.

Mr. SCALISE. It is factual.

Mr. HOYER. We passed over 250 bills. The Senate won't take them up, particularly one bill that says what 90 percent of the American people want done: Pass a comprehensive background check to make their communities safer.

They won't bring it up. No wonder it can't be signed, because they won't bring up any of our bills.

The Republican leadership in the Senate stops our bills from going to the Senate. They are not even being considered.

Then they have a poster that says you haven't passed any bills? Oh, no, we passed them, and the American people support them.

Yes, we had an election in 2018, and the people spoke, which is why I am the majority leader and you are the minority whip.

So, yes, we honor those elections. And when you were in the majority, you passed bills you wanted to pass.

So, I tell my friend, it is an interesting poster, but it is a reflection of the refusal of the Republicans in the United States Senate to consider legislation supported by the overwhelming majority of the American people. How sad.

But, let me ask you again: Are you saying it was right to keep the \$391 million, to refuse to have a meeting with Mr. Zelensky at the White House until he agreed to conduct a political investigation that would advantage the President of the United States? Do you believe that was right?

Mr. SCALISE. Well, first of all, the gentleman is making an assertion that has been disputed—in fact, disputed by the President of Ukraine, this alleged quid pro quo that didn't happen. Zelensky himself said it didn't happen. In fact, he got the money. He got the money.

Now, we had to check to make sure, like the law says, in two different places. We have two different sets of law that require the administration ensure that there is not corruption before they send the money.

I can assure the gentleman from Maryland that, if he would have sent the money over and there was corruption involved, you would be going after him for breaking the law, for not following the law.

You voted for the law. I voted for the law. Again, it is a good law. But then he ultimately released the money.

You talk about the Javelin missiles. He sold that to them before the phone call even happened because it was a friend saying protect us against Russia.

President Obama wouldn't stand up to Russia when Ukraine made that same phone call, yet President Trump did. President Trump said: I will sell you those missiles so you can protect yourself and can defend yourself against the Russians.

And Zelensky, on that phone call, was thanking the President, again, for selling those missiles to them. It has allowed them to push back the Russian aggression and to root out—ultimately, they talked about rooting out and getting to the bottom of the corruption and the interference that happened with Russia in our 2016 election, which I hoped we would be more vigilant to root out together.

It shouldn't just be President Trump wanting to stop it from happening again. All of us should want to make sure that that doesn't happen again.

Mr. Speaker, I yield to the gentleman.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

Of course, the Acting Chief of Staff, who is, I think, also the acting head of OMB—not technically but actually, in my view—he said there was a quid pro quo. Now, he tried to clean it up. I get that. I get that.

But he said, yes, there was a quid pro quo.

And you read the transcript—which is not a transcript but a report of the substance of the conversation—in which he brings up a number of things, including Joe Biden and Hunter Biden.

And, yes, we now have testimony that says there was a quid pro quo. There was going to be no meeting at the White House. There was going to be no sending of the \$391 million that we thought was essential for our Ukrainian friends defending democracy in Ukraine from Putin.

Now, we have had a more recent action where a telephone conversation with Erdogan led to another headline on that same page: Russia and Turkey reach deal on Syria. America in retreat. America no longer a factor in trying to bring peace.

□ 1900

Mr. Speaker, I asked a question. Is the President above the law?

I asked another question: Is it right to keep the \$391 million that we appropriated because we thought Ukraine was at great risk? And again, the question wasn't answered. It was answered with a question and with an assertion that the President had the authority to make sure that there wasn't corruption in Ukraine.

Mr. Speaker, we are concerned whether there is corruption in the United States of America. That concerns us, and that is why these hearings are proceeding, consistent with our constitutional duty.

And all the Republicans can do is—not defend the actions, because they are indefensible. All they can do is talk about process.

One thousand subpoenas issued by Dan Burton when he was the Republican chairman of the Oversight and Government Reform Committee. One hundred subpoenas, unilaterally, under the Gowdy rule, under the Pompeo rule, under the Republican rules, unilaterally.

Trey Gowdy, himself, as chairman of the Benghazi Select Committee, three dozen subpoenas, without any input, under the Gowdy-Pompeo rules.

So I ask the gentleman, do you think it is consistent with our Constitution that the President of the United States suggest to a foreign leader that they become involved in our elections?

Mr. SCALISE. Mr. Speaker, first of all, it is not a question. It is a false assertion that the gentleman is making. And so you can make claims about people, but ultimately, if it is not backed up in fact, you just continue on.

This has been the pattern of this majority, really, since before you took the

majority. It has been an assertion to impeach the President, finding something; if there is nothing there, just keep looking.

You had the Mueller investigation; 2,800 subpoenas, 22 months meandering around, looking for something, hoping; and we saw the chairman of the Intelligence Committee said publicly, time and time again, for 2 years, that he, himself, had more than circumstantial evidence of criminal acts. It turned out there were none.

The chairman never showed the evidence that he had. Maybe he went and had a meeting with Mueller and Mueller discarded it. But if he really did have more than circumstantial evidence, he would have brought it forward. He would have shown all of us, but he didn't. He made the assertion, but it was a false assertion.

And if it wasn't false, by the way, I would challenge the gentleman to bring it forward. He ought to have that duty to bring it forward.

Mr. HOYER. We are in that process.

Mr. SCALISE. No, no. We are talking about the Mueller investigation, but it didn't happen. So the collusion argument that was supposedly going to yield some kind of ability to go and impeach the President didn't turn out to be true.

So, instead of stopping and moving on to the business of the American people, instead of more subpoenas—not laws. No lower drug prices because it is an impeachment infatuation. Instead of moving on, they went to this because there was this whistleblower.

And let's go back to the memo of the whistleblower, before the whistleblower complaint. The whistleblower actually wrote a memo. Admittedly, they never even listened to the phone conversation, but they talked to other people.

And if it was so dangerous what those other people heard, they had a legal ability and authority to go and file their own whistleblower complaint, but they didn't. So someone with a political bias, by the inspector general's own admission, a person with a political bias who had access to information that was classified, in violation of law, hears what they want to hear, writes a memo saying it was crazy; it was disturbing. Those were the words that the whistleblower wrote about the phone conversation.

Lo and behold, the phone conversation gets released by the President. It was unprecedented. He didn't have to do it. I might have preferred if he didn't do it because you don't want a pattern where every conversation between world leaders is going to be out in the public.

But, okay, it is now. And all of those assertions that were made were false. It wasn't a crazy conversation. It wasn't a disturbing conversation. It was two people talking about—one congratulating the other on his election. One talking about how he got elected on a platform of rooting out corruption, which he is doing, and we are

helping them with. That was the conversation.

So now the whistleblower isn't even going to be brought forward, according to the chairman, because the chairman is the only person who gets to bring witnesses forward.

Then the gentleman talked about Trey Gowdy's committee, the Benghazi Select Committee. He tries to use that as the reference point for holding an impeachment inquiry.

Let's all be clear: Trey Gowdy's committee on Benghazi was a special select committee to find out what happened.

Mr. HOYER. Will the gentleman yield on that point?

Mr. SCALISE. I will ultimately yield, but you mentioned all of these things, and so I want to clear up the things that the gentleman mentioned.

So the Trey Gowdy committee, where four Americans died and we were trying to get to the bottom of that—not to impeach anybody, but to find out how four Americans died when people should have known that there was danger over there and the proper precautions weren't taken. So he had a committee.

Do you know, I would ask the gentleman from Maryland, that Chairman Gowdy allowed the minority to call witnesses? He didn't sit there and say: Hey, I won and you lost, and so I can just roll over you and then back up the car again. That is not what Trey Gowdy did. He was the chairman, but he let the ranking member, the minority leader of the committee, call their witnesses.

That is not happening right now. Not one witness has been allowed by our side. Closed hearings to the public.

If this is something that you are so concerned about, if you are concerned about corruption, why root it out in secret, behind closed doors, with a one-sided set of rules that represents and reflects more how the Soviet Union would conduct something like this as opposed to how the United States of America has always conducted impeachment inquiries? We are talking about impeachment inquiries in secret, behind closed doors.

So, yes, the gentleman raised a lot of issues, and I wanted to go back to each of those.

So what we have asked for is the same fairness that has always been allowed, both sides—not just the winning side, both sides. This is America.

Mr. Speaker, I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

What he didn't mention was the Benghazi Gowdy commission was the eighth Republican-led investigation of that matter. They all reached the same conclusion and found no evidence of wrongdoing; eight Republican-led, and they kept after it, over and over and over again.

Why? As the minority leader said, on television, well, no, we got something out of it. We got some dirt on Hillary Clinton.

I don't think it was dirt. It was the use of a computer which, by the way, some of the Trump family is doing the same thing—somewhat irrelevant.

What is relevant is not all this stuff about fairness and this, that, and the other. We are following the Constitution. We are following the rules of this House. We are following the law, and every legal scholar that I have read asserts that. The only people who don't assert that are the people who are afraid of the facts, afraid of what has been done.

I asked the gentleman questions: Do you think this is right? Do you think the President is above the law? He mentions the Mueller report.

What he fails to mention and he just ignores is the Mueller report said there was evidence to suggest that there was the failure to follow the law and cooperate with the law, in other words, obstruction of justice. But he said Justice Department rules, of which he was an employee, do not provide for the ability to indict a President of the United States. That did not mean that there wasn't obstruction of justice.

But what he said was this is the body to deal with this matter. So we are following our constitutional duty, and we are going to continue to do so, and there are going to be public hearings. There is going to be debate. There is going to be a vote on the rule if something is brought to the floor and full opportunity to debate on both sides of the aisle.

Right now, of course, there are members of the committee—you would think this was somehow Mr. SCHIFF and the Democrats meeting in some secret room. They are meeting with the Republican members of the committee.

And, by the way, I asked the gentleman the question about Mr. NUNES. But Mr. NUNES, apparently, comes sometimes and he doesn't come sometimes. And Mr. MEADOWS is apparently always there, so he can always tell you what is going on. This is an endless debate.

If the Republicans think we are violating the law, of course they can go to court, as we have been forced to do by this President who has instructed people not to cooperate with Congress, not to testify before the Congress because he feels aggrieved.

He will have his day in court. That is how we run these kinds of events in America: under our Constitution, under our laws. And, yes, he will have due process.

But right now we are trying to find out whether there is probable cause to believe the President of the United States committed high crimes and misdemeanors and abused the power of his office, as Hamilton said the purpose of the impeachment provision was designed to address. Hamilton said that in two of the Federalist Papers.

But we are going to endlessly talk about fairness, with Republicans sitting in the committee. He asserts, with no knowledge, that somehow the

Democratic members of the committee released this information.

I am not sure how the paper got this information. I know they get almost all the information on all these networks. But this was the testimony that was prepared by the witness who was there—who was there.

He talks about the whistleblower and hearsay, but what he doesn't talk about: Does he believe the President is above the law? Does he believe it is appropriate?

And the transcript—I could read it again. I keep saying "transcript." It is not a transcript. A report of the phone call that the President thought was okay, that is why he released it. He thought it was perfect.

In addition, he said: The other thing, there is a lot of talk about Biden's son, that Biden stopped the prosecutor, and a lot of people want to find out about that. So whatever you can do with the Attorney General—he wants his lawyer. It should be the Justice Department's lawyer, but Mr. BARR to participate. And, of course, he wanted Mr. Giuliani to participate as well.

So, Mr. Speaker, I would conclude, we are going down this rat hole too long. We are going to have hearings. We are going to find out the truth, and we are finding out the truth every day, and every day our Republican colleagues get more nervous.

Every day there is some Republican who says: I don't know how long I can defend President Trump. Every day that is happening now, because the facts are coming out.

When you don't have the facts, as I have said, Mr. Speaker, you attack the process. Republicans know the facts aren't on their side. They can't answer the fundamental question: Is it acceptable for a President to seek foreign interference in elections?

They will say: Oh, there is no proof of that. And the problem they have is almost every day there is proof of that, not hearsay.

Yes, the whistleblower did the right thing. The whistleblower heard something that he felt was dangerous to our national security, to our men and women in uniform, and to the democracy that we hold so dear, and so he said something. You have seen the signs: You see something, say something. He heard this.

One could say, well, he didn't hear it, but then the President admitted it. Then the Chief of Staff, Acting Chief of Staff, Mr. Mulvaney, said, yes, that is what we did. And he instructed, don't get that money to the Ukrainians.

Those are facts. We know those are facts.

So I tell my friend, we really ought to conclude this. We believe we are following the law. If you don't feel we are following the law, go to court, just as we had to go to court with the President refusing to cooperate with the Congress of the United States in its constitutional duty.

□ 1915

And we are going to be fair, and I am sure the Senate will be fair if we take action here. And I don't know that we are going to take action. That hasn't been decided. But we are going to continue to try to find the truth, to try to get to the bottom of what has happened.

I, frankly, think what we did in Turkey in that Erdogan phone call is as damaging to the interests of the United States of America. And the President talks about the public. The public ought to know.

I want any Member of the Congress I will yield to to tell me what the deal was between Putin and Trump when they met in private and refused to tell anybody.

Mr. Trump is great at disclosure. He says, I have nothing to hide in my tax returns. I will show my tax returns. That was 3 years ago. We have, by law, requested those returns. It has been denied. It has been denied.

No openness. No, Mr. and Mrs. America, this is what my interests are. I am acting in your interests, not in mine. Doral. He decided that was too much, and Republicans criticized him.

And, Mr. Speaker, on Turkey we had a vote in this House. He was really angry about that vote. 354 people of this House said this is wrong, Mr. President, this is harmful to our allies. You are exposing allies that we asked to participate to confront terrorists. You are letting them out perhaps to be murdered and slaughtered. 354-to-60. We voted on that.

We need to deal with the facts. And we are going to find out the facts no matter how hard the Republicans want to pound on the table and talk about process and ignore any discussion on the substance of what is being disclosed.

So, Mr. Speaker, we can conclude this colloquy because it is not going to come to any end. I understand the gentleman's perception. I think he is misrepresenting each time he says that this is not a fair procedure or that this is not a procedure consistent with the rules that the Republicans adopted in their rules package when they were in the majority.

So I hope that we can move on, decide what the facts are, have a committee recommendation as is the process of this House and then have a vote on the floor of the House, if such is required, and the committees decide that moving forward is appropriate under the facts adduced by those committees.

Mr. SCALISE. Mr. Speaker, if we really are about getting to the facts, to think that you can suggest it is a fair process when only one side gets to choose who the witnesses are—again, the gentleman references Trey Gowdy's committee. Chairman Gowdy allowed both sides, Republican and Democrat, to bring forward witnesses because he wanted to get the facts. If you really wanted to get the facts, would the chairman of the committee, literally,

take the witness and run out of the room as soon as other voting Members of Congress showed up? That happened today.

If the chairman really wanted to get the facts out, would he literally close the meetings? Tell all Members, Republican and Democrat, not to go talk to the press. And then somebody mysteriously, selectively leaks things to the press that are negative, in many cases disputed by other testimony that was given in secret, so it can't get out. And so you get one side of the story.

I guess if you are okay with having only one side of a story told, that might be your prerogative because you are in the majority, but don't call that fair. It is clearly not fair if only one side gets to tell their story and the other side doesn't get to bring their witnesses.

The President who you are accusing of possibly committing some crime so high, high crime and misdemeanors is the standard, if you are accusing him of that, you can't lay it out yet, you are hoping and looking around for something, which isn't the process, by the way, that has been used in the past.

If you don't like the results of the election, there is an election next year. And if you don't trust the people of this country to make that decision, do you really go into a Star Chamber and run a Soviet-style set of hearings where only one side gets to tell their side of the story?

Mr. HOYER. Mr. SCALISE, watch your words. Watch your words, Mr. SCALISE. You and I both know it has no analogy to what you have just said. You ought to know that. If you don't know it, you ought to sit down with your counsel and find out about it. That is an allegation that is absolutely untrue and very offensive.

Mr. SCALISE. What is the allegation that is untrue?

Mr. HOYER. It is very offensive.

Mr. SCALISE. Who can call the witnesses? Just your side. You think it is fair that only you can call the witnesses, and then you want to get the truth? Are you going to get the facts when you shut out the other side? When you don't let the President have his own legal counsel there, like has always been done.

Mr. HOYER. Mr. SCALISE, I know you are not a lawyer. Do you have any idea what a grand jury is?

Mr. SCALISE. This is not a grand jury. This is the United States House of Representatives.

Mr. HOYER. Of course it is.

Mr. SCALISE. If you want to run a grand jury, go get a jury.

This is the United States Congress. Voting Members of Congress are being shut out of the room, Mr. Speaker. Voting Members of Congress are being shut out of this process. You want to call that fair? Good luck. But it is not fair.

It is a one-sided process to create a document with a determined outcome. It is going to be a tainted document,

because it only tells one side of the story. The old saying is, a grand jury can indict a ham sandwich, if they want to. There is a reason for that because only one side can call witnesses.

When we have had impeachment inquiries in the past you don't have to reinvent the wheel. It has only happened three times. And in modern times they have used the exact same standard.

The standard is: Both sides get to call witnesses. That is not going on right now.

It was done in public. That is not being done right now.

It is going on in secret. The press can't go in. You can't go in. I can't go in, unless they run out with the witness.

That is not a fair process. Maybe that is the process that you want to conduct, but don't call it fair, because it is not.

And, ultimately, it is not going to result in a fair document that is going to be determining whether or not a President of the United States is impeached.

And Members of both sides, 75 percent of the Members of this body, Republican and Democrat, are going to be asked to cast a vote on something that they can't even go and determine and find out about. They can't sit in the hearings. They can't read the testimony. 230 million Americans are represented by those Members of Congress who cannot get access to what is going on in that room. Maybe you can get it from reading leaked press reports.

Is that really how you determine whether or not to impeach a President of the United States? That is not fair.

Mr. Speaker, I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding. I hesitate to respond because this is a circular discussion.

Mr. SCALISE and the Republican party, at the behest of Mr. Trump, need to get tougher. They can't mention the facts. The facts are known by the transcript the President sent down here. Again, not a transcript, a report of a telephone call, the statement of the ambassador, I think, a former U.S. marine.

They don't want to talk about the facts. I get that. So we can go around and around in circles.

And I will tell you, to have eight hearings on Benghazi? Don't give me this Trey Gowdy allowed this to happen and that to happen. It was the eighth hearing you Republicans had on that one subject, eight, and you never got the result you wanted, so you just kept doing it over and over and over. Getting the same result. We all know that quote.

There are going to be public hearings, Mr. Speaker, but they are going to be public hearings when the witnesses can't check one another, can't give one story and then parrot the other story that was said.

And Ambassador Sondland, of course. I don't know that he was our friend. He

was the President's friend, big contributor, special envoy to the European Union, but apparently doing part-time work in Ukraine along with Mr. Giuliani.

The facts are going to come out, Mr. Speaker. And they are going to try to say, oh, the process. You are going to have public hearings, Mr. SCHIFF has said so. He said so in his letter.

And you are going to have to answer the question: Do I believe that the conduct that has been pursued by the President of the United States, if he were a Democrat, would I believe that was right? That is the question you're going to have to answer. It is going to be a tough question for your side because the facts almost every day are mounting up.

So I want to urge my friend, let's conclude this discussion, because I am not going to agree with you, and you are not going to agree with me.

But ultimately the American people—and those 236 million people you talk about, there is not going to be any indictment, there is not going to be any impeachment, unless 218 of us in this body vote. And we are all going to vote. It is not going to be any Star Chamber. Everybody is going to have to vote.

And then they are going to have to answer to their constituents, did I vote my conscience, or did I vote my politics?

Mr. SCALISE. Mr. Speaker, I don't know if the gentleman is asserting that we will have a vote on impeachment, that might be breaking news, but if these Members, all of us, are going to vote on impeachment, shouldn't we be able to see what goes on? Shouldn't we be able to have access to the hearings? Shouldn't we be able to have access to the transcripts? Can we now?

I would ask the gentleman, would he release the transcripts now of these hearings so that Members can start preparing? So Members can know what they are going to vote on?

Are you going to keep it in secret and then drop something on the floor after it has been baked and predetermined what the outcome should be before Members really have an idea of what is going on in those rooms that are being denied entrance to those rooms right now? It has never happened before in other impeachment inquiries.

And you can say it is about process. It is about history.

Mr. HOYER. Mr. Speaker, I don't say that.

Mr. SCALISE. Mr. Speaker, Mr. HOYER mocked that the process is tainted, that the process is being run like it might be run in the Soviet Union, not in the United States of America. It has never been done like that before.

And you talk about Trey Gowdy, as if we were looking around for something to impeach a President on. We weren't.

You had four Americans die. There are a lot of questions that still haven't

been answered about why those Americans died.

And all of us should be concerned about what happened at Benghazi. To ridicule the fact that there were eight hearings on something so alarming? Nobody was fishing around, looking—

By the way, we never tried to impeach the President over anything. All of the things that we disagreed with him on, none of those. Even times when he would sign executive orders that circumvented the law, and we would challenge him in the court, and we won a number of those court cases, but that doesn't mean it rose to the level of high crimes and misdemeanors. And so we never went down that road.

But maybe some, in some part of a base, want to see impeachment, no matter what. And some have said that. Some in your own party have said they just want to impeach the President because if they don't, he will get re-elected. That has been said by members of your party.

That is not why you impeach a President, because you think he is going to get re-elected. The American people make that determination next year.

We have had investigation after investigation. Again, Mueller alone had 2,800 subpoenas. He had the full authority to bring charges against the President on collusion, on obstruction. Even the Attorney General said that he had the authority to bring charges, but even if he did have those, he wouldn't have brought charges on obstruction, because there wasn't obstruction and there wasn't collusion. But he had full authority to bring charges on both fronts, and he didn't. But, again, 222 months of that meandering witch hunt to try to find something. And it wasn't found because it wasn't there.

And then you had the whistleblower, the so-called whistleblower. Who, if you are worried about who is talking to somebody to try to get their stories straight, interestingly, the whistleblower—who, again, was identified to be somebody with a political bias—went and met with Chairman SCHIFF's staff prior to filing the whistleblower complaint.

Yes, somebody did collude. Real interesting how that happened. Before the whistleblower complaint was filed, they actually sat down with the staff of the majority leader, Chairman SCHIFF, and lo and behold, you get a political document that comes out with allegations, disproven in many cases, but that is where we are. That is the basis for starting an impeachment inquiry.

That is not really an impeachment inquiry, because we are not following the same rules that have always been followed under an impeachment inquiry, but that is the genesis of this, and that is where we are.

□ 1930

And if that is what the document is going to ultimately yield, it will be a tainted document. But I guess if you

want to find an outcome—this isn't a grand jury. This is the United States House of Representatives, and there are 75 percent in this body who are going to be asked to vote on something that they cannot see, they cannot participate in, they have absolutely no access to. That is not what this country is all about.

Mr. Speaker, I yield to the gentleman.

Mr. HOYER. Mr. Speaker, the gentleman keeps misstating the facts and the law and the process.

Every Member is going to have access to all the documents, all the testimony before they are asked to vote on it, period.

Mr. SCALISE. When?

Mr. HOYER. When they have concluded their private sessions, which are trying to get at the facts and not having been tainted by some circus. Everybody is going to have the right to see what evidence is adduced.

That is the fear, of course, and I again suggest the gentleman think of this: If he saw these headlines and it was a Democratic President and Turkey and Russia were deciding what is happening in the Middle East and deciding whether they are going to go after ISIS, our ally, and then this other headline replete with the aid to Ukraine was conditioned on a quid pro quo or they weren't going to be in the White House, they may not get the \$391 million, he would be outraged. He would be on this ceiling.

Mr. SCALISE. I would if it was true, but it is not.

Mr. HOYER. Mr. Speaker, do I still have my time?

Mr. SCALISE. You can only read it in the press because of selective leaking. And so that is how Members of Congress are supposed to make a determination on impeachment of the President, based on selected leaks to the press?

Mr. HOYER. Mr. Speaker, the gentleman wasn't here during the Clinton impeachment with Starr. Starr might as well—

Mr. SCALISE. Mr. Speaker, here is another headline: "Democrats Writing More Subpoenas Than Laws." That is a headline. That is what angers people who want to see their prescription drug prices lowered, but they can't because of this infatuation with impeachment. That is what is holding this country back. That is what is holding this House back from doing the people's work.

Mr. Speaker, I would ask if the gentleman has anything else. If not, I would be ready to yield back.

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

#### 150TH BIRTHDAY OF SANTA ANA, CALIFORNIA

(Mr. CORREA asked and was given permission to address the House for 1 minute.)

Mr. CORREA. Mr. Speaker, I rise today in celebration of the city of Santa Ana's 150th birthday.