

list of witnesses who have been or are proposed to be invited to appear.

4. The committee and its subcommittee should, to the maximum feasible extent, enforce the provisions of rule 9 of the committee rules as it relates to the submission of written statements of witnesses twenty-four hours in advance of a hearing.

Witnesses will be urged to submit testimony even earlier whenever possible. When statements are received in advance of a hearing, the committee or subcommittee (as appropriate) should distribute copies of such statements to each of its members. Witness testimony may be submitted and distributed electronically.

EXECUTIVE SESSIONS FOR THE PURPOSE OF MARKING UP BILLS

In order to expedite the process of marking up bills and to assist each member of the committee so that there may be full and fair consideration of each bill which the committee or a subcommittee is marking up the following procedures should be followed:

1. Seven days prior to the proposed date for an executive session for the purpose of marking up bills the committee or subcommittee (as appropriate) should provide written notice to each of its members as to the time, place, and specific subject matter of such session, including an agenda listing each bill or other matters to be considered and including:

(a) a copy of each bill, joint resolution, or other legislative matter (or committee print thereof) to be considered at such executive session; and

(b) a copy of a summary of the provisions of each bill, joint resolution, or other legislative matter to be considered at such executive session including, whenever possible, an explanation of changes to existing law proposed to be made.

2. Insofar as practical, prior to the scheduled date for an executive session for the purpose of marking up bills, the committee or a subcommittee (as appropriate) should provide each member with a copy of the printed record or a summary of any hearings conducted by the committee or a subcommittee with respect to each bill, joint resolution, or other legislative matter to be considered at such executive session.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION RULES OF PROCEDURE

Mr. WICKER. Mr. President, the Committee on Commerce, Science, and Transportation has adopted rules governing its procedures for the 116th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent that the accompanying rules for the Senate Committee on Commerce, Science, and Transportation be printed in the Record.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULES OF THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION 116TH CONGRESS

RULE 1—MEETINGS OF THE COMMITTEE

1. IN GENERAL.—The regular meeting dates of the Committee shall be the first and third Wednesdays of each month. Additional meetings may be called by the Chairman as the Chairman may deem necessary, or pursuant to the provisions of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

2. OPEN MEETINGS.—Meetings of the Committee, or any subcommittee, including

meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the Committee, or any subcommittee, on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the Committee, or any subcommittee, when it is determined that the matter to be discussed or the testimony to be taken at such meeting or meet-

(A) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) will relate solely to matters of Committee staff personnel or internal staff management or procedure;

(C) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(D) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interest of effective law enforcement;

(E) will disclose information relating to the trade secrets of, or financial or commercial information pertaining specifically to, a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(F) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

3. STATEMENTS.—Each witness who is to appear before the Committee or any subcommittee shall file with the Committee, at least 24 hours in advance of the hearing, a written statement of the witness's testimony in as many copies as the Chairman of the Committee or subcommittee prescribes. In the event a witness fails to file a timely written statement in accordance with this rule, the Chairman of the Committee or subcommittee, as applicable, may permit the witness to testify, or deny the witness the privilege of testifying before the Committee, or permit the witness to testify in response to questions from members without the benefit of giving an opening statement.

4. FIELD HEARINGS.—Field hearings of the full Committee, and any subcommittee thereof, shall be scheduled only when authorized by the Chairman and ranking minority member of the full Committee.

RULE II—QUORUMS

1. BILLS, RESOLUTIONS, AND NOMINATIONS.—A majority of the members, which includes at least 1 minority member, shall constitute a quorum for official action of the Committee when reporting a bill, resolution, or nomination. Proxies may not be counted in making a quorum for purposes of this paragraph.

2. OTHER BUSINESS.—One-third of the entire membership of the Committee shall constitute a quorum for the transaction of all business as may be considered by the Com-

mittee, except for the reporting of a bill, resolution, or nomination or authorizing a subpoena. Proxies may not be counted in making a quorum for purposes of this paragraph.

3. TAKING TESTIMONY.—For the purpose of taking sworn testimony a quorum of the Committee and each subcommittee thereof, now or hereafter appointed, shall consist of 1 member of the Committee.

RULE III—PROXIES

When a record vote is taken in the Committee on any bill, resolution, amendment, or any other question, the required quorum being present, a member who is unable to attend the meeting may submit his or her vote by proxy, in writing or through personal instructions.

RULE IV—CONSIDERATION OF BILLS AND RESOLUTIONS

IT SHALL NOT BE IN ORDER DURING A MEETING OF THE COMMITTEE TO MOVE TO PROCEED TO THE CONSIDERATION OF ANY BILL OR RESOLUTION UNLESS THE BILL OR RESOLUTION HAS BEEN FILED WITH THE CLERK OF THE COMMITTEE NOT LESS THAN 48 HOURS IN ADVANCE OF THE COMMITTEE MEETING, IN AS MANY COPIES AS THE CHAIRMAN OF THE COMMITTEE PREScribes. THIS RULE MAY BE WAIVED WITH THE CONCURRENCE OF THE CHAIRMAN AND THE RANKING MINORITY MEMBER OF THE FULL COMMITTEE.

RULE V—SUBPOENAS; COUNSEL; RECORD

1. SUBPOENAS.—The Chairman, with the approval of the ranking minority member of the Committee, may subpoena the attendance of witnesses for hearings and the production of memoranda, documents, records, or any other materials. The Chairman may subpoena such attendance of witnesses or production of materials without the approval of the ranking minority member if the Chairman or a member of the Committee staff designated by the Chairman has not received notification from the ranking minority member or a member of the Committee staff designated by the ranking minority member of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the ranking minority member as provided in this paragraph, the subpoena may be authorized by vote of the Members of the Committee, the quorum required by paragraph 1 of rule II being present. When the Committee or Chairman authorizes a subpoena, it shall be issued upon the signature of the Chairman or any other Member of the Committee designated by the Chairman. At the direction of the Chairman, with notification to the ranking minority member of not less than 72 hours, the staff is authorized to take depositions from witnesses. The ranking minority member, or a member of the Committee staff designated by the ranking minority member, shall be given the opportunity to attend and participate in the taking of any deposition. Witnesses at depositions shall be examined upon oath administered by an individual authorized by law to administer oaths, or administered by any member of the Committee if one is present.

2. COUNSEL.—Witnesses may be accompanied at a public or executive hearing, or the taking of a deposition, by counsel to advise them of their rights. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of the witness at any public or executive hearing, or the taking of a deposition, to advise the witness, while the witness is testifying, of the witness's legal rights. In the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chairman may rule that representation by counsel from the government, corporation, or association or by

counsel representing other witnesses, creates a conflict of interest, and that the witness may only be represented during testimony before the Committee by personal counsel not from the government, corporation, or association or by personal counsel not representing other witnesses. This paragraph shall not be construed to excuse a witness from testifying in the event the witness's counsel is ejected for conducting himself or herself in such manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of a hearing or the taking of a deposition. This paragraph may not be construed as authorizing counsel to coach the witness or to answer for the witness. The failure of any witness to secure counsel shall not excuse the witness from complying with a subpoena.

3. RECORD.—An accurate electronic or stenographic record shall be kept of the testimony of all witnesses in executive and public hearings and depositions. If testimony given by deposition is transcribed, the individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence and the transcriber shall certify that the transcript is a true record of the testimony. The transcript with these certifications shall be filed with the chief clerk of the Committee. The record of a witness's testimony, whether in public or executive session or in a deposition, shall be made available for inspection by the witness or the witness's counsel under Committee supervision. A copy of any testimony given in public session, or that part of the testimony given by the witness in executive session or deposition and subsequently quoted or made part of the record in a public session, shall be provided to that witness at the witness's expense if so requested. Upon inspecting the transcript, within a time limit set by the Clerk of the Committee, a witness may request changes in the transcript to correct errors of transcription and grammatical errors. The witness may also bring to the attention of the Committee errors of fact in the witness's testimony by submitting a sworn statement about those facts with a request that it be attached to the transcript. The Chairman or a member of the Committee staff designated by the Chairman shall rule on such requests.

RULE VI—BROADCASTING OF HEARINGS

Public hearings of the full Committee, or any subcommittee thereof, shall be televised or broadcast only when authorized by the Chairman and the ranking minority member of the full Committee.

RULE VII—SUBCOMMITTEES

1. HEARINGS.—Any member of the Committee may sit with any subcommittee during its hearings.

2. CHANGE OF CHAIRMANSHIP.—Subcommittees shall be considered *de novo* whenever there is a change in the chairmanship, and seniority on the particular subcommittee shall not necessarily apply.

S. RES. 19

Ms. HIRONO. Mr. President, S. Res. 19 is unnecessary because no religious test is being applied to nominees for Federal office. If my colleague, the junior Senator from Nebraska, wants to embrace the alt-right's position by offering this resolution, that is his business.

Rather than passing a resolution to address a problem that doesn't exist, we should focus on something real, like ending this totally unnecessary, unjustified shutdown that is harming millions of Americans.

I ask unanimous consent for statements supporting the separation of church and state from Catholics for Choice, People for the American Way, and several Hawaii residents.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CATHOLICS FOR CHOICE,
Washington, DC, January 4, 2019.

Hon. MAZIE HIRONO,
U.S. Senate Judiciary Committee,
Washington, DC.

DEAR SENATOR HIRONO: Catholics for Choice represents the majority of Catholics across the United States that believes that each woman should be free to follow her conscience in moral matters regarding reproductive health.

We were very disappointed to see your colleagues, Senators Hirono and Harris, attacked for duly questioning district court nominee Brian Buescher about his ability to keep judicial impartiality due to his membership in the hardline Catholic organization, Knights of Columbus. They had every reason to raise these questions due to the Knights' troubling record.

Today's Knights of Columbus have strayed far from their civic roots as a philanthropic organization. Our enclosed report, *The Knights of Columbus: Crusaders for Discrimination*, provides a detailed look at how they have brazenly used their 501c8 status to pour money, effort and influence into political contests and policy debates.

As our investigation showed, they have spent more than \$10 million since 2014 in direct antichoice and anti-LGBT lobbying, like their petition in Albuquerque to try to ban later abortion. The Knights' organization uses a large portion of its time and effort funding ultrasound equipment for fake health centers that actively deceive and pressure women to keep unwanted pregnancies. The insurance arm of the Knights ranks in the top one percent of the North American insurance market, yet pays no federal and nearly no state or local taxes. Make no mistake: they do not represent what the majority of Catholics believe on issues of reproductive health or the separation of church and state.

We believe this and other attacks on Senators fulfilling their obligations to question judicial nominees are just the latest tactic in shifting the conversation about religious liberty toward making special accommodations to those who wish to refuse, impede and impose rather than to protect the true religious liberty of all, no matter their beliefs. As Religious Freedom Day nears—and we usher in a historic new Congress that embodies our country's religious plurality—we must remember that our society allows for free religious exercise, but also protects against religious influence in politics.

Catholics for Choice works at the intersection of religious liberty, reproductive freedom and freedom of conscience for all. We are at your and your staff's disposal as the committee continues to protect fundamental freedoms through its work. Should you have any questions, please contact me at gnorthern@catholicsforchoice.org or 202-986-6093.

Sincerely,

GLENN NORTHERN,
Domestic Program Director.

[From Honolulu Civil Beat, Jan. 14, 2019]

LETTER TO THE EDITOR

(By Lisa H. Gibson, Ray Markey, Maya Maxym)

U.S. Sen. Mazie Hirono, Democrat of Hawaii, is under attack.

She stands for women, both as a champion of a woman's right to choose and as a defender of those who have been sexually assaulted; she fought Trump and the Republicans in defense of the Affordable Care Act, against the Muslim ban and the Kavanaugh Supreme Court nomination. She is being attacked because she has become one of the most eloquent and effective voices of the values Indivisible Hawaii cherishes.

The attack comes not only from rightwing ideologues, it now comes from Hawaii's own member of the House of Representatives, Tulsi Gabbard, a Democrat who on Friday announced her candidacy for the presidency. Her article in *The Hill* accuses Democratic Party members of the Senate Judiciary Committee of "fomenting religious bigotry" and "weaponizing religion" during their questioning of nominee Brian Buescher to the U.S. District Court in Nebraska.

This thinly veiled attack on Sen. Hirono, who sits on the Senate Judiciary Committee which is responsible for approving judicial nominees, is a ludicrous assertion and a stunning act of hypocrisy on the part of Rep. Gabbard. The assertion is that Hirono is a religious bigot because of questions designed to reveal a nominee's clear record of anti-choice activism as a barrier to his appropriateness for a judicial appointment.

This attack is not only inaccurate, it exposes Gabbard's self-serving attempt to project herself as a defender of religious freedom—a position which is inconsistent with her own actions. Rather than align herself with India's overt right-wing Hindu Nationalists or Syria's Assad, we suggest Rep. Gabbard follow Sen. Hirono as a model of both authentic patriotic behavior and defense of civil rights.

Members of Indivisible Hawaii and other groups have visited Sen. Hirono's offices, as well as those of the other members of Hawaii's Congressional delegation, dozens of times since President Donald Trump's Jan. 20, 2017, inauguration. We know firsthand that she has championed our beliefs because we have talked with her and her staff many times. We have followed her votes, watched her on television, read her Facebook Page and emails, and attended her town halls.

Sen. Hirono immigrated to Hawaii as a child and understands from personal experience the challenges faced by immigrants. She is the first Buddhist to serve in the Senate. Her years of public service establish a record which, in particular, show her to be a defender of religious tolerance as well as the values of democratic government and the rule of law upon which our country depends.

We witnessed what Gabbard did at, during, and after the Democratic Party Convention in 2016 to attack not Trump or the Republicans, but former Secretary of State Hillary Clinton and the Democratic Party. Since Trump's election Gabbard's silence in response to Trump's efforts to dismantle the institutions of our democracy has been deafening and stands in stark contrast to Sen. Hirono's forthright, clear and courageous actions to fight the racist, misogynist, and authoritarian actions of Trump and the GOP. The *Hill* article mimics her past behavior—why does she choose to do this again?

As we fight to preserve our democracy unity is more important than ever. An attack on Sen. Mazie Hirono as a champion of progressive values in the Democratic Party is an attack on all of us who want to take our country back. We must stand with Sen. Hirono and other champions of democracy to be successful.