

Branch agencies, offices, and officials not to comply with those subpoenas. President Trump thus interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives, and assumed to himself functions and judgments necessary to the exercise of the “sole Power of Impeachment” vested by the Constitution in the House of Representatives.

President Trump abused the powers of his high office through the following means:

(1) Directing the White House to defy a lawful subpoena by withholding the production of documents sought therein by the Committees.

(2) Directing other Executive Branch agencies and offices to defy lawful subpoenas and withhold the production of documents and records from the Committees—in response to which the Department of State, Office of Management and Budget, Department of Energy, and Department of Defense refused to produce a single document or record.

(3) Directing current and former Executive Branch officials not to cooperate with the Committees—in response to which nine Administration officials defied subpoenas for testimony, namely John Michael “Mick” Mulvaney, Robert B. Blair, John A. Eisenberg, Michael Ellis, Preston Wells Griffith, Russell T. Vought, Michael Duffey, Brian McCormack, and T. Ulrich Brechbuhl.

These actions were consistent with President Trump’s previous efforts to undermine United States Government investigations into foreign interference in United States elections.

Through these actions, President Trump sought to arrogate to himself the right to determine the propriety, scope, and nature of an impeachment inquiry into his own conduct, as well as the unilateral prerogative to deny any and all information to the House of Representatives in the exercise of its “sole Power of Impeachment”. In the history of the Republic, no President has ever ordered the complete defiance of an impeachment inquiry or sought to obstruct and impede so comprehensively the ability of the House of Representatives to investigate “high Crimes and Misdemeanors”. This abuse of office served to cover up the President’s own repeated misconduct and to seize and control the power of impeachment—and thus to nullify a vital constitutional safeguard vested solely in the House of Representatives.

In all of this, President Trump has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice, and to the manifest injury of the people of the United States.

Wherefore; President Trump, by such conduct, has demonstrated that he will remain a threat to the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with self-governance and the rule of law. President Trump thus warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

HOUSE RESOLUTION 798, IN THE HOUSE OF REPRESENTATIVES, JANUARY 15, 2020

*Resolved*, That Mr. Schiff, Mr. Nadler, Ms. Lofgren, Mr. Jeffries, Mrs. Demings, Mr. Crow, and Ms. Garcia of Texas are appointed managers to conduct the impeachment trial against Donald John Trump, President of the United States, that a message be sent to the Senate to inform the Senate of these appointments, and that the managers so appointed may, in connection with the preparation and the conduct of the trial, exhibit the articles of impeachment to the Senate and take all other actions necessary, which may include the following:

(1) Employing legal, clerical and other necessary assistants and incurring such other expenses as may be necessary, to be paid from amounts available to the Committee on the Judiciary under applicable expense resolutions or from the applicable accounts of the House of Representatives.

(2) Sending for persons and papers, and filing with the Secretary of the Senate, on the part of the House of Representatives, any pleadings, in conjunction with or subsequent to, the exhibition of the articles of impeachment that the managers consider necessary.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3193. A bill to amend the Controlled Substances Act to list fentanyl-related substances as schedule I controlled substances, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3753. A communication from the Acting Secretary of Homeland Security, transmitting, pursuant to law, a letter reporting Antideficiency Act (ADA) Violations; to the Committee on Appropriations.

EC-3754. A communication from the Program Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Community Reinvestment Act Regulations” (RIN1557-AE72) received in the Office of the President of the Senate on January 13, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-3755. A communication from the Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, a policy statement entitled “Policy Statement on Compliance Aids” received in the Office of the President of the Senate on January 14, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-3756. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled “Civil Penalty Inflation Adjustments” (12 CFR Part 1083) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-3757. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Energy Conservation Standards for Portable Air Conditioners” ((RIN1904-AD02) (10 CFR Parts 429 and 430)) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Energy and Natural Resources.

EC-3758. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Energy Conservation Standards for Commercial Packaged Boilers” ((RIN1904-AD01) (10 CFR Part 431)) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Energy and Natural Resources.

EC-3759. A communication from the Assistant General Counsel for Legislation, Regula-

tion and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Energy Conservation Standards for Uninterruptible Power Supplies” ((RIN1904-AD69) (10 CFR Part 430)) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Energy and Natural Resources.

EC-3760. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Energy Conservation Standards for Air Compressors” ((RIN1904-AC83) (10 CFR Parts 429 and 431)) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Energy and Natural Resources.

EC-3761. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Notice regarding the 2020 optimal standard mileage rates” (Notice 2020-5) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Finance.

EC-3762. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Update to Revenue Procedure 2019-4” (Notice 2020-4) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Finance.

EC-3763. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Treasury Decision (TD): Chapter 4 Regulations Relating to Verification and Certification Requirements for Certain Entities and Reporting by Foreign Financial Institutions” (RIN1545-BN73) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Finance.

EC-3764. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Investing in Qualified Opportunity Funds” (RIN1545-BP04) received in the Office of the President of the Senate on January 15, 2020; to the Committee on Finance.

EC-3765. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services, to Norway to support the manufacture, production, test, and inspection of vertical tail control surfaces and conventional edges, composite sub-assemblies, and structural parts for the F-35 JSF aircraft in the amount of \$100,000,000 or more (Transmittal No. DDTC 19-061); to the Committee on Foreign Relations.

EC-3766. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services, to the UK to support the design, development, assembly, testing, qualification, manufacture, and repair of various parts and components used to manufacture the Joint Strike Fighter LiftSystem in the amount of \$100,000,000 or more (Transmittal No. DDTC 19-025); to the Committee on Foreign Relations.

EC-3767. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to

section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms, parts, and components abroad controlled under Category I of the U.S. Munitions List of 9mm semi-automatic pistols to Thailand in the amount of \$1,000,000 or more (Transmittal No. DDTC 19-051); to the Committee on Foreign Relations.

EC-3768. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2020-04, Small Entity Compliance Guide" ((48 CFR Chapter 1) (FAC 2020-04)) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-3769. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Trade Agreements Thresholds" ((48 CFR Parts 22, 25, and 52) (FAC 2020-04)) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-3770. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2020-04, Introduction" ((48 CFR Chapter 1) (FAC 2020-04)) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Homeland Security and Governmental Affairs.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-175. A resolution adopted by the General Assembly of the State of New Jersey urging the United States Congress and the President of the United States to enact legislation prohibiting airlines from counting breast milk or breast pumps against the airline's carry-on limit and prohibiting airlines from restricting passengers from carrying breast milk onto the aircraft; to the Committee on Commerce, Science, and Transportation.

#### ASSEMBLY RESOLUTION No. 244

Whereas, More than 80 percent of mothers breastfeed their infants during the first six months of the child's life; and

Whereas, No matter what they are doing or where they are, breastfeeding mothers need to express milk every few hours in order to keep up their milk supply and to prevent infection known as mastitis; and

Whereas, On October 5, 2018, the President of the United States signed into law a five-year reauthorization of the Federal Aviation Administration, which included language that requires airports to provide lactation rooms that are accessible to the public; and

Whereas, In spite of this federal law and laws in all 50 states that specifically allow breastfeeding in any public or private location, breastfeeding mothers have continued to face barriers, even harassment, when breastfeeding or attempting to breastfeed in public places; and

Whereas, The Transportation Security Administration (TSA) permits breast pumps and breast milk for infants or toddlers in reasonable quantities to pass through the security checkpoint in airports; and

Whereas, TSA also permits ice packs, freezer packs, frozen gel packs, and other accessories required to cool breast milk to pass through the security checkpoint in airports; and

Whereas, In spite of these TSA policies, some airlines still prevent passengers from carrying breast milk onto aircraft or prevent breastfeeding mothers from carrying breast pumps onto aircraft by counting breast pumps against the airline's carry-on limits; and

Whereas, There is no federal law that prohibits an airline from counting breast milk or breast pumps against the airline's carry-on limit or restricting passengers from carrying breast milk onto aircraft; and

Whereas, These airline policies create barriers for parents to feed infants and toddlers while traveling and create health risks for breastfeeding mothers who are prevented from expressing milk for extended periods of time while traveling; Now, therefore, be it

*Resolved by the General Assembly of the State of New Jersey:*

1. This House urges the President and the Congress of the United States to enact a law prohibiting an airline from counting breast milk or breast pumps against the airline's carry-on limit or restricting passengers from carrying breast milk onto aircraft.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Majority and Minority Leaders of the United States Senate and United States House of Representatives, and each member of the United States Congress elected from this State.

POM-176. A resolution adopted by the Board of Supervisors of the City and County of San Francisco, California, urging the United States Congress to enact H.R. 763 The Energy and Carbon Dividend Act of 2019; to the Committee on Finance.

POM-177. A resolution adopted by the Common Council of Hammond, Indiana, supporting the Deferred Action for Childhood Arrivals (DACA) and the Dream Act; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources:

Report to accompany S. 1739, a bill to enable projects that will aid in the development and delivery of related instruction associated with apprenticeship and preapprenticeship programs that are focused on serving the skilled technical workforce at the National Laboratories and certain facilities of the National Nuclear Security Administration, and for other purposes (Rept. No. 116-205).

By Mr. HOEVEN, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 227. A bill to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, and for other purposes (Rept. No. 116-206).

By Mr. SHELBY, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2020" (Rept. No. 116-207).

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 2971. A bill to amend and reauthorize the Child Abuse Prevention and Treatment Act, and for other purposes.

By Mr. GRASSLEY, (from the Committee on Finance), and on behalf of Mr. Alexander (from the Committee on Health, Education, Labor, and Pensions), Mr. Barrasso (from the Committee on Environment and Public Works), Mr. Shelby (from the Committee on Appropriations), Mr. Risch (from the Committee on Foreign Relations), Mr. Wicker (from the Committee on Commerce, Science, and Transportation), and Mr. Enzi (from the Committee on the Budget), jointly, without amendment:

H.R. 5430. An act to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. RISCH for the Committee on Foreign Relations.

John Hennessey-Niland, of Illinois, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Palau.

Nominee: John Hennessey-Niland.

Post: Republic of Palau.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: Julie Hennessey-Niland, None.

3. Children and Spouses: Connor Hennessey-Niland, None; Aidan Hennessey-Niland, None (no spouses).

4. Parents: John Niland—Deceased; Julia Niland—Deceased.

5. Grandparents: John Niland—Deceased; Katherine O'Brien—Deceased.

6. Brothers and Spouses: James Niland: \$1.00, 02/03/2017, ACTBLUE; \$5.00, 02/03/2017, ACTBLUE; \$5.00, 02/03/2017, Dibble for Congress; \$250.00, 01/18/2017, Dibble for Congress; \$80.00, 06/09/2015, American Federation of State, County & Municipal Employees (AFSCME); \$160, 05/13/2015, AFSCME; \$160.00, 04/10/2015, AFSCME; \$160.00, 03/17/2015, AFSCME; \$500.00, 03/02/2015, Minnesota Democratic Farmer Labor Party; \$160.00, 02/13/2015, AFSCME. Elizabeth Nerud (spouse), none. Thomas Niland, none (no spouse).

7. Sisters and Spouses: Deirdre Washburn, none; Tom Washburn (spouse): \$20, 08/01/2016, Donald J. Trump for President, Inc. Collette Niland: \$25, 06/27/2019, ACTBLUE; \$10, 04/13/2019, ACTBLUE; \$27.50, 02/13/2019, ACTBLUE; \$10, 11/04/2018, ACTBLUE; \$5, 06/30/2018, ACTBLUE; \$22, 03/31/2016, ACTBLUE.

Donald Wright, of Virginia, a Career Member of the Senior Executive Service, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Republic of Tanzania.

Nominee: Donald John Wright.

Post: Tanzania.

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