

as a basis for such legislative and other action as the House of Representatives may deem necessary and proper: Now, therefore be it

Resolved, That— (1) Merrick Garland, Attorney General of the United States, is found in contempt of the House of Representatives for disobeying the February 27, 2024, subpoena; and

(2) the Speaker of the House of Representatives shall impose a fine, which may not be paid with appropriated funds, on Attorney General Garland of \$10,000 per day, until such a time as Attorney General Garland complies with the subpoena of the House of Representatives by turning over the audio tapes.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

The SPEAKER pro tempore. Does the gentlewoman from Florida offer the resolution?

Mrs. LUNA. Yes.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 1344

Whereas, on February 27, 2024, Merrick Garland, Attorney General of the United States, was duly served with a subpoena to produce a narrow and specific set of materials possessed by the Department of Justice and related to Special Counsel Robert K. Hur's investigation of President Joe Biden's "willful" mishandling of classified documents to the Committee on the Judiciary of the House of Representatives and the Committee on Oversight and Accountability of the House of Representatives in Washington, DC;

Whereas Attorney General Garland has, in disobedience of such subpoena, failed to produce the set of materials; and

Whereas the set of materials possessed by the Department of Justice is material and necessary in order that the House of Representatives may properly execute the functions imposed on it and may obtain information necessary as a basis for such legislative and other action as the House of Representatives may deem necessary and proper: Now, therefore be it

Resolved, That—

(1) Merrick Garland, Attorney General of the United States, is found in contempt of the House of Representatives for disobeying the February 27, 2024, subpoena; and

(2) the Speaker of the House of Representatives shall impose a fine, which may not be paid with appropriated funds, on Attorney General Garland of \$10,000 per day, until such time as Attorney General Garland complies with the subpoena of the House of Representatives by turning over the audio tapes.

The SPEAKER pro tempore. The resolution qualifies.

MOTION TO TABLE

Ms. CLARK of Massachusetts. Mr. Speaker, I have a motion at the desk. The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. Clark of Massachusetts moves to lay the resolution on the table.

The SPEAKER pro tempore. The question is on the motion to table.

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

Ms. CLARK of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 207, nays 209, not voting 17, as follows:

[Roll No. 346]

YEAS—207

Adams	Golden (ME)	Panetta
Aguilar	Goldman (NY)	Pappas
Allred	Gomez	Pelosi
Amo	Gonzalez,	Perez
Auchincloss	Vicente	Peters
Balint	Gottheimer	Petersen
Barragan	Green, Al (TX)	Phillips
Beatty	Hayes	Pingree
Bera	Himes	Pocan
Beyer	Horsford	Porter
Bishop (GA)	Houlihan	Pressley
Blumenauer	Hoyer	Quigley
Blunt Rochester	Hoyle (OR)	Ramirez
Bonamici	Huffman	Raskin
Bowman	Ivey	Ross
Boyle (PA)	Jackson (IL)	Ruiz
Brown	Jackson (NC)	Ruppersberger
Brownley	Jacobs	Ryan
Budzinski	Jayapal	Salinas
Bush	Jeffries	Sánchez
Caraveo	Johnson (GA)	Sarbanes
Carbajal	Joyce (OH)	Scanlon
Cárdenas	Kamllager-Dove	Schakowsky
Carson	Kaptur	Schiff
Carter (LA)	Keating	Schneider
Cartwright	Kelly (IL)	Scholten
Caspar	Kennedy	Schrier
Case	Khanna	Scott (VA)
Casten	Kildee	Scott, David
Castor (FL)	Kilmer	Sewell
Castro (TX)	Kim (NJ)	Sherman
Cherfilus-	Krishnamoorthi	Sherrill
McCormick	Kuster	Slotkin
Chu	Landsman	Smith (WA)
Clark (MA)	Larsen (WA)	Sorensen
Clarke (NY)	Larson (CT)	Soto
Cleaver	Lee (CA)	Spanberger
Clyburn	Lee (NV)	Stansbury
Cohen	Lee (PA)	Stanton
Connolly	Leger Fernandez	Stevens
Correa	Levin	Strickland
Costa	Lieu	Suozi
Courtney	Lofgren	Swalwell
Craig	Lynch	Sykes
Crockett	Magaziner	Takano
Crow	Manning	Thanedar
Cuellar	Matsui	Thompson (CA)
Davids (KS)	McBath	Thompson (MS)
Davis (IL)	McClellan	Titus
Davis (NC)	McClintock	Tlaib
Dean (PA)	McCollum	Tokuda
DeGette	McGarvey	Tonko
DeLauro	McGovern	Torres (CA)
DelBene	Meeke	Torres (NY)
Deluzio	Menendez	Trahan
DeSaulnier	Meng	Trone
Dingell	Mfume	Turner
Doggett	Morelle	Underwood
Duarte	Moulton	Vargas
Escobar	Mrvan	Vasquez
Eshoo	Mullin	Veasey
Espallat	Nadler	Velázquez
Foster	Napolitano	Wasserman
Foushee	Neal	Schultz
Frankel, Lois	Neguse	Waters
Frost	Nickel	Watson Coleman
Gallego	Norcross	Wexton
Garcia (IL)	Ocasio-Cortez	Wild
Garcia (TX)	Pallar	Williams (GA)
Garcia, Robert	Pallone	Wilson (FL)

NAYS—209

Aderholt	Bentz	Burgess
Alford	Bergman	Burlison
Allen	Bice	Calvert
Amodei	Biggs	Cammack
Arrington	Bilirakis	Carey
Babin	Bishop (NC)	Carl
Bacon	Boebert	Carter (GA)
Baird	Bost	Carter (TX)
Balderson	Brecheen	Chavez-DeRemer
Banks	Buchanan	Ciscomani
Barr	Bucshon	Cline
Bean (FL)	Burchett	Cloud

Clyde	Hudson	Oberholte
Cole	Huizenga	Ogles
Collins	Hunt	Owens
Comer	Issa	Palmer
Crane	Jackson (TX)	Pence
Crawford	James	Perry
Curtis	Johnson (LA)	Pfuger
D'Esposito	Johnson (SD)	Posey
Davidson	Jordan	Reschenthaler
De La Cruz	Joyce (PA)	Rodgers (WA)
DesJarlais	Kean (NJ)	Rodgers (AL)
Diaz-Balart	Kelly (MS)	Rogers (KY)
Donalds	Kelly (PA)	Rose
Duncan	Kiggans (VA)	Rosendale
Dunn (FL)	Kiley	Rouzer
Edwards	Kim (CA)	Roy
Ellzey	Kustoff	Rulli
Emmer	LaHood	Rutherford
Estes	LaLota	Salazar
Ezell	LaMalfa	Scalise
Fallon	Lamborn	Schweikert
Feenstra	Langworthy	Scott, Austin
Ferguson	Latta	Self
Finstad	Lawler	Sessions
Fischbach	Lee (FL)	Simpson
Fitzgerald	Lesko	Smith (MO)
Fitzpatrick	Letlow	Smith (NE)
Fleischmann	Lopez	Smucker
Flood	Loudermilk	Spartz
Fong	Lucas	Staubert
Fox	Luetkemeyer	Steel
Franklin, Scott	Luna	Stefanik
Fry	Luttrell	Steil
Fulcher	Mace	Steube
Gaetz	Malliotakis	Strong
Garbarino	Maloy	Tenney
Garcia, Mike	Mann	Thompson (PA)
Gimenez	Mast	Tiffany
Gonzales, Tony	McCauley	Timmons
Good (VA)	McClain	Valadao
Gooden (TX)	McCormick	Van Drew
Gosar	Meuser	Van Dwyne
Graves (LA)	Miller (IL)	Van Orden
Graves (MO)	Miller (OH)	Wagner
Green (TN)	Miller (WV)	Walberg
Greene (GA)	Miller-Meeks	Waltz
Griffith	Mills	Weber (TX)
Grothman	Molinaro	Webster (FL)
Guest	Moolenaar	Wenstrup
Guthrie	Mooney	Westerman
Hageman	Moore (AL)	Williams (NY)
Harris	Moore (UT)	Williams (TX)
Harshbarger	Moran	Wilson (SC)
Hern	Murphy	Wittman
Higgins (LA)	Nehls	Womack
Hill	Newhouse	Yakym
Hinson	Norman	Zinke
Houchin	Nunn (IA)	

NOT VOTING—17

Armstrong	Grijalva	Moore (WI)
Crenshaw	Harder (CA)	Moskowitz
Evans	Jackson Lee	Pascrell
Fletcher	LaTurner	Peltola
Garamendi	Massie	Smith (NJ)
Granger	McHenry	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1733

So the motion to table was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO REFER

Ms. CLARK of Massachusetts. Mr. Speaker, I have a motion at the desk. The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. Clark of Massachusetts moves to refer the resolution to the Committee on Rules.

The SPEAKER pro tempore. The gentlewoman from Massachusetts is recognized for 1 hour.

Ms. CLARK of Massachusetts. Mr. Speaker, we have already taken up way too much of the House's time, of the American people's time. Let's get back

to doing the work that they sent us here to do.

Mr. Speaker, I yield back the balance of my time, and move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to refer.

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

Ms. CLARK of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 207, nays 211, not voting 15, as follows:

[Roll No. 347]

YEAS—207

Adams	Golden (ME)	Panetta
Aguilar	Goldman (NY)	Pappas
Allred	Gomez	Pelosi
Amo	Gonzalez,	Perez
Auchincloss	Vicente	Peters
Balint	Gottheimer	Petterson
Barragan	Green, Al (TX)	Phillips
Beatty	Hayes	Pingree
Bera	Himes	Pocan
Beyer	Horsford	Porter
Bishop (GA)	Houlihan	Pressley
Blumenauer	Hoyer	Quigley
Blunt Rochester	Hoyle (OR)	Ramirez
Bonamici	Huffman	Raskin
Bowman	Ivey	Ross
Boyle (PA)	Jackson (IL)	Ruiz
Brown	Jackson (NC)	Ruppersberger
Brownley	Jacobs	Ryan
Budzinski	Jayapal	Salinas
Bush	Jeffries	Sánchez
Caraveo	Johnson (GA)	Sarbanes
Carbajal	Joyce (OH)	Scanlon
Cárdenas	Kamlager-Dove	Schakowsky
Carson	Kaptur	Schiff
Carter (LA)	Keating	Schneider
Cartwright	Kelly (IL)	Scholten
Casar	Kennedy	Schrier
Case	Khanna	Scott (VA)
Casten	Kildee	Scott, David
Castor (FL)	Kilmer	Sewell
Castro (TX)	Kim (NJ)	Sherman
Cherfilus-	Krishnamoorthi	Sherrill
McCormick	Kuster	Slotkin
Chu	Landsman	Smith (WA)
Clark (MA)	Larsen (WA)	Sorensen
Clarke (NY)	Larson (CT)	Soto
Cleaver	Lee (CA)	Spanberger
Clyburn	Lee (NV)	Stansbury
Cohen	Lee (PA)	Stanton
Connolly	Leger Fernandez	Stevens
Correa	Levin	Strickland
Costa	Lieu	Suozzi
Courtney	Lofgren	Swalwell
Craig	Lynch	Sykes
Crockett	Magaziner	Takano
Crow	Manning	Thanedar
Cuellar	Matsui	Thompson (CA)
Davids (KS)	McBath	Thompson (MS)
Davis (IL)	McClellan	Titus
Davis (NC)	McClintock	Tlaib
Dean (PA)	McCollum	Tokuda
DeGette	McGarvey	Tonko
DeLauro	McGovern	Torres (CA)
DelBene	Meeks	Torres (NY)
Deluzio	Menendez	Trahan
DeSaulnier	Meng	Trone
Dingell	Mfume	Turner
Doggett	Morelle	Underwood
Duarte	Moulton	Vargas
Escobar	Mirvan	Vasquez
Eshoo	Mullin	Veasey
Espallat	Nadler	Velázquez
Foster	Napolitano	Wasserman
Foushee	Neal	Schultz
Frankel, Lois	Neguse	Waters
Frost	Nickel	Watson Coleman
Gallego	Norcross	Wexton
Garcia (IL)	Ocasio-Cortez	Wild
Garcia (TX)	Omar	Williams (GA)
Garcia, Robert	Pallone	Wilson (FL)

NAYS—211

Aderholt	Gaetz	Molinaro
Alford	Garbarino	Moolenaar
Allen	Garcia, Mike	Mooney
Amodei	Gimenez	Moore (AL)
Armstrong	Gonzales, Tony	Moore (UT)
Arrington	Good (VA)	Moran
Babin	Gooden (TX)	Murphy
Bacon	Gosar	Nehls
Baird	Graves (LA)	Newhouse
Balderson	Graves (MO)	Norman
Banks	Green (TN)	Nunn (IA)
Barr	Greene (GA)	Obermole
Bean (FL)	Griffith	Ogles
Bentz	Grothman	Owens
Bergman	Guest	Palmer
Bice	Guthrie	Pence
Biggs	Hageman	Perry
Bilirakis	Harris	Pfluger
Bishop (NC)	Harshbarger	Posey
Boebert	Hern	Reschenthaler
Bost	Higgins (LA)	Rodgers (WA)
Brecheen	Hill	Rogers (AL)
Buchanan	Hinson	Rogers (KY)
Bucshon	Houchin	Rose
Burchett	Hudson	Rosendale
Burgess	Huizenga	Rouzer
Burlison	Hunt	Roy
Calvert	Issa	Rulli
Cammack	Jackson (TX)	Rutherford
Carey	James	Salazar
Carel	Johnson (LA)	Scalise
Carter (GA)	Johnson (SD)	Schweikert
Carter (TX)	Jordan	Scott, Austin
Chavez-DeRemer	Joyce (PA)	Self
Ciscomani	Kean (NJ)	Sessions
Carle	Kelly (MS)	Simpson
Cloud	Kelly (PA)	Smith (MO)
Clyde	Kiggans (VA)	Smith (NE)
Cole	Kiley	Smith (NJ)
Collins	Kim (CA)	Smucker
Comer	Kustoff	Spartz
Crane	LaHood	Staubert
Crawford	LaLota	Steel
Curtis	LaMalfa	Stefanik
D'Esposito	Lamborn	Steil
Davidson	Langworthy	Steube
De La Cruz	Latta	Strong
DesJarlais	Lawler	Tenney
Diaz-Balart	Lee (FL)	Lesko
Donalds	Letlow	Thompson (PA)
Duncan	Letow	Tiffany
Dunn (FL)	Lopez	Timmons
Edwards	Loudermilk	Valadao
Elizy	Lucas	Van Drew
Emmer	Luetkemeyer	Van Dуйne
Estes	Luna	Van Orden
Ezell	Luttrell	Wagner
Fallon	Mace	Walberg
Feenstra	Malliotakis	Waltz
Ferguson	Maloy	Weber (TX)
Finstad	Mann	Webster (FL)
Fischbach	Mast	Wenstrup
Fitzgerald	McCaul	Westerman
Fitzpatrick	McClain	Williams (NY)
Fleischmann	McCormick	Williams (TX)
Flood	Meuser	Wilson (SC)
Fong	Miller (IL)	Wittman
Foxx	Miller (OH)	Womack
Franklin, Scott	Miller (WV)	Yakym
Fry	Miller-Meeks	Zinke
Fulcher	Mills	

NOT VOTING—15

Crenshaw	Grijalva	McHenry
Evans	Harder (CA)	Moore (WI)
Fletcher	Jackson Lee	Moskowitz
Garamendi	LaTurner	Pascrell
Granger	Massie	Peltola

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1733

Ms. PETTERSEN changed her vote from “nay” to “yea.”

So the motion to refer was rejected. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. PASCHELL. Mr. Speaker, I regretfully missed four roll call votes today. Had I been

present, I would have voted YEA on Roll Call Vote 344, NO on Roll Call Vote 345, YEA on Roll Call Vote 346, and YEA on Roll Call Vote 347.

□ 1745

The SPEAKER pro tempore (Mr. CRAWFORD). Pursuant to clause 2 of rule IX, the gentlewoman from Florida (Mrs. LUNA) and the gentleman from Massachusetts (Mr. MCGOVERN) will each control 30 minutes.

The Chair now recognizes the gentlewoman from Florida (Mrs. LUNA).

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

Mr. Speaker, the American people have a deep distrust in our ability to govern effectively. The executive branch's blatant disregard for Congress as an institution, shown most recently by the Department of Justice's failure to prosecute Attorney General Merrick Garland, undermines the effectiveness of this body. It also begs the question: What is Attorney General Garland hiding?

On February 27, 2024, the Oversight and Judiciary Committees issued subpoenas to Attorney General Garland to provide a narrow and specific set of materials related to Special Counsel Robert Hur's investigation into President Joe Biden's willful mishandling of classified documents.

Instead of complying with the lawfully issued congressional subpoenas, Attorney General Garland refused to hand over unredacted audio recordings and materials.

This is why House Republicans voted to hold Garland in criminal contempt of Congress. However, on June 14, 2024, the Department of Justice informed us that they would not uphold the law and prosecute the Attorney General for contempt of Congress. While we all expected DOJ's response, the dangerous precedent it set cannot be overstated.

In order for the House of Representatives to do its job, we must have access to the information that will allow us to make informed decisions on behalf of our constituents.

With Attorney General Garland and the Department of Justice refusing to follow the law, we have been left with no choice but to rely on inherent contempt, our constitutional authority to hold an individual accountable for refusing to comply with congressional demands.

Inherent contempt is within our Article I authority. It was first used in 1795 and was upheld by the Supreme Court in 1821 in Anderson v. Dunn. Since then, it has been reaffirmed many times by the Court.

If we fail to hold Garland accountable, we will signal to whoever controls the White House that it is impervious to congressional oversight and that the constitutionally recognized power of the House of Representatives is merely a suggestion and not to be taken seriously.

If an American is presented with a lawful subpoena, he or she is expected

that they comply or face the consequences of their defiance. Why should the Attorney General of the United States be held to a different standard? No one is above the law.

We have reached a turning point where the urgency of this situation cannot be overlooked.

I want to remind my colleagues that House Republicans have already agreed that Merrick Garland must be held accountable for defying two lawfully issued subpoenas. Today's vote will hold Attorney General Garland in inherent contempt of Congress and fine him \$10,000 per day until he complies with our subpoenas by turning over the audiotapes.

Over the past couple of days, I have heard false statements being made about this resolution, one of which was a claim that this violated the bill of attainder. This is simply untrue. In fact, the Supreme Court rejected the idea that inherent contempt is a bill of attainder in the 1927 case of *McGrain v. Daugherty*. This means that it is a constitutional right within our authority under the Necessary and Proper Clause.

Another false statement is that the fine can be paid with appropriated money. However, this resolution clearly states that it is personal funds that will be used.

I would like to remind my colleagues that this Congress is not subordinate to the executive branch. It never has been, and it never will be. This resolution will protect the integrity and independence of the legislative branch.

To each one of my colleagues, your constituents and this institution are relying on you to be on the right side of law and order.

Mr. Speaker, I yield 1½ minutes to the gentleman from Wisconsin (Mr. VAN ORDEN).

Mr. VAN ORDEN. Mr. Speaker, this is a very simple issue. The United States of America is a republic that is designed specifically, and our duties are articulated in the Constitution of the United States of America.

When we are speaking to the executive branch as a coequal branch, we are not sending requests. A subpoena is not an ask. It is a task. For the Attorney General of the United States to completely ignore the Congress is unlawful. It cannot be tolerated.

This should be the most bipartisan bill that would pass in this Congress because my Democratic colleagues also have been emasculated by the Attorney General. So, I am asking them to cross the aisle. Let's work together and make sure that we, collectively, are respected as Members of Congress, as articulated in the Constitution of the United States.

Mr. MCGOVERN. Mr. Speaker, does the gentlewoman have any further speakers?

Mrs. LUNA. Will the gentleman yield?

Mr. MCGOVERN. I yield to the gentlewoman from Florida.

Mrs. LUNA. Mr. Speaker, we have lots of speakers.

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

Mrs. LUNA. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. MCCORMICK).

Mr. MCCORMICK. Mr. Speaker, we have a quick decision to make, and I understand this is contentious because of who is President and because of who is in control of the floor.

In the near future, we will have maybe a new President, a new Senate, and things will be looked at very differently. I think the most important thing here is empowering the legislative branch to do its duty, to have representation by the people in its most basic way.

We saw something in the debate that we have never seen before, probably the most epic and historic debate ever as far as exposing the President and how he thinks, what his mental capacity is, and his ability to lead this great Nation forward in the next 4 years.

This is about the survival of our Nation, about the representation of ideas, about the health of the most powerful person in the world. If we can get to the bottom of that, we can make great decisions on who we elect. We can also, at the same time, have the best representation from the legislative branch.

The SPEAKER pro tempore. The time of the gentleman has expired.

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

Mr. Speaker, this is a stupid resolution. Republican leadership knows this is a stupid resolution. Their own Members know this is a stupid resolution, but they are beholden to the craziest MAGA members in their Conference.

So, this is what we get: stupid resolutions on the floor because they are too chicken to stand up to the extremism in their own party.

The Attorney General turned over the exact transcripts of the interviews that Republicans demanded, but that wasn't good enough because this isn't about a dispute over a recording. Let's be real. Republicans want to get these recordings because they think the RNC can use them in attack ads.

This is Republicans weaponizing the government to go after their political opponents, and it is sick.

The hypocrisy on the other side is stunning. It takes my breath away, Mr. Speaker. JIM JORDAN, ANDY BIGGS, SCOTT PERRY all ignored congressional subpoenas. I can go right down the list: former Speaker Kevin McCarthy, former Attorney General William Barr, former Commerce Secretary Wilbur Ross, former Chief of Staff Mark Meadows, former Deputy Chief of Staff Dan Scavino all were ordered to testify, and what did they do? They ran and hid, following the lead, by the way, of their corrupter in chief, Donald Trump, who ignored his own congressional subpoena. It is like a national pastime for Republicans—golf, fishing, and ignoring subpoenas.

Now, they have the nerve to come down here and lecture anyone about

the rule of law. Get lost. Get lost. Get out of here with this nonsense.

Contrast what Republicans did with what Attorney General Garland is doing. Not only is he taking the subpoena seriously, he is doing his best to comply. He has legitimate concerns about releasing the tape after the transcript has already been made public. He is not ignoring it like they do on their side.

In fact, he made the entire underlying report public. He made the transcript public. He allowed the special counsel to testify in public for hours to explain his investigation. He sent a detailed letter, supported by the facts, the law, and the precedent, detailing why he would not release the audio recording because our side respects the rule of law while the other side uses it as a phony talking point.

By the way, not only is this resolution a BS political stunt, it is not even a good BS political stunt. This is a bad resolution that could do massive damage to this institution's standing. If they go down this road, Mr. Speaker, if this half-baked idea actually passes, this House will almost certainly lose, doing irreparable damage to our own constitutional authority.

So, I guess, you can pat yourselves on the back. Well done. Not only have you cooked up * * * a plan that will undermine any future legitimate attempts to use all our tools if it comes to a contempt proceeding.

Mr. GRIFFITH. Objection.

The SPEAKER pro tempore. The gentleman will suspend.

For what purpose does the gentleman seek recognition?

Mr. GRIFFITH. To ask that the words be stricken.

The SPEAKER pro tempore. The gentleman from Massachusetts will be seated.

□ 1815

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent to withdraw the offending words.

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

There was no objection.

The SPEAKER pro tempore. Without objection, the offending words are withdrawn.

Mr. MCGOVERN. Mr. Speaker, I say for the RECORD that this is the second time there has been an attempt to silence me by the freedom-loving Republican Conference. So much for the First Amendment.

Mr. Speaker, I get it. They are desperate to distract from their failures. Their own Members are saying that they have done nothing, and clearly they have deserted the American people in deference to Trump. I get it. They want to distract from Project 2025.

The SPEAKER pro tempore. The Chair will remind Members to refrain from engaging in personalities toward presumptive nominees for the Office of President.

Mr. MCGOVERN. Mr. Speaker, I am trying to think of what I can say. I get it. They want to distract from Project 2025, distract from their own nationwide abortion bans, distract from their giveaways to big donors of special interests, and what do we get? We get unserious stuff like this on the floor.

I say to the American people: You might not agree with Democrats on everything. You might not think we are perfect, but we are focused on our job. We are focused on fighting inflation, focused on getting prices down, focused on bringing jobs back from overseas, on standing up for democracy, and on protecting the freedom of our constituents.

Contrast that with what Republicans are focused on: wasting more time on political stunts instead of working with us to get things done. It is as simple and as sad as that.

Mr. Speaker, I urge a “no” vote on this resolution, and I reserve the balance of my time.

Mrs. LUNA. Mr. Speaker, may I inquire as to how much time is remaining.

The SPEAKER pro tempore. The gentleman from Florida has 24 minutes remaining.

Mrs. LUNA. Mr. Speaker, I yield 1 minute to the gentlewoman from Georgia (Ms. GREENE).

Ms. GREENE of Georgia. Mr. Speaker, since Merrick Garland took over as Attorney General in March of 2021, he has completely subverted and weaponized the Department of Justice. This weaponization of the DOJ has resulted in the persecution of the left’s political enemies in a two-tiered justice system. From investigating parents who protest their school boards, to going after pro-life activists and Catholics, to persecuting former President Donald J. Trump, Merrick Garland’s corruption knows no bounds.

The DOJ’s persecution of Joe Biden’s primary political adversary, President Donald J. Trump, is illegal and an actual assault on democracy. Raiding President Trump’s home for legally declassifying documents in a transparent violation of justice and persecuting a declared candidate for President of the United States is nothing short of election interference.

In the meantime, Merrick Garland has refused to comply with a lawful congressional subpoena, claiming executive privilege, the same defense argued by Steve Bannon and Peter Navarro.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. LUNA. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from Georgia.

Ms. GREENE of Georgia. For Merrick Garland and Joe Biden, it is rules for thee, but not for me.

Mr. Speaker, I urge my Republican Conference to support this resolution, reclaim our congressional authority, and hold Merrick Garland accountable for his hypocritical and illegal actions

that spit in the faces of all Americans’ rights to a fair justice system.

Mr. MCGOVERN. Mr. Speaker, I am afraid to say anything now. I yield 5 minutes to the gentleman from New York (Mr. GOLDMAN).

Mr. GOLDMAN of New York. Mr. Speaker, there is so much to cover here from my friends on the other side of the aisle.

First, I address something that my colleague from Wisconsin said when he said that the Constitution lays out very clearly in Article I the powers of Congress. I would ask him or any of my colleagues on the other side if you could point me to where in the Constitution it confers subpoena power on Congress. You won’t be able to because it is something established by the Supreme Court that is derivative from Congress’ power to legislate.

The Supreme Court has set forth exactly what a congressional subpoena is authorized to do. In a recent case, which you may remember, the Trump v. Mazars case, Donald Trump sued his accountant to prevent them from providing documents to Congress pursuant to a subpoena. Congressional authority, that is what we are worried about here.

Well, the Supreme Court reiterated that there must be a legitimate legislative purpose in order for a congressional subpoena to be valid.

Mr. Speaker, I asked in our Oversight Committee when we debated this: What is the legitimate legislative purpose that any one of my colleagues on the other side of the aisle can identify to justify a contempt finding here where they have the substantive information of the recording included in the transcript and everything else requested in that subpoena was provided to them? Nonetheless, they are insisting on getting the audio of that transcript that they have.

Mr. Speaker, not surprisingly, in the Oversight Committee, which has no jurisdiction over this anyway, they offered nothing. I did hear in the Judiciary Committee my friend from North Carolina, who is here, refer in a subsequent hearing to demeanor evidence as a legitimate purpose for this subpoena.

Mr. Speaker, demeanor evidence sounds like sophisticated legal speak that is very esoteric and only for trial lawyers, but really it is completely irrelevant to Congress’ legislative role because we don’t try cases. There is no trial here. There is no demeanor evidence. As much as you may want to prosecute Joe Biden, there is no congressional prosecution of Joe Biden, and his demeanor evidence is no legitimate basis for this subpoena.

Mr. Speaker, you of course know, and I don’t even think you would argue, that there is a legitimate legislative purpose to use the audio recordings in a political ad to support your dear leader, Mr. Trump, so that clearly falls outside of the range.

Of course, my friends on the other side of the aisle should refocus from de-

meanor evidence to basic concepts, like due process or executive privilege, because the President of the United States asserted executive privilege over this audiotape. You may not like it. You may not agree with it, but you have no authority to determine that that is not a correct assertion of the executive privilege.

Do you know who else doesn’t have authority to determine that? The Attorney General, who you are trying to hold in contempt. Due process.

You are going to fine someone \$10,000 without notice or an opportunity to be heard? You are going to say: We are going to fine you, and you have no opportunity to make a defense, and there is no neutral adjudicator?

You can go to court all you want, and that is where you went, and that is where you belong. That is why this resolution is so bogus. I have a warning for you, my friends: You will reap what you sow.

In June of 2019, then-President Donald Trump said he would defy all congressional subpoenas. That is exactly what he did. During the first impeachment investigation, every single executive branch agency defied a lawful subpoena from Congress.

The SPEAKER pro tempore. The time of the gentleman has expired.

Members are reminded to direct their remarks to the Chair.

Mr. MCGOVERN. Mr. Speaker, I yield an additional 1 minute to the gentleman from New York.

Mr. GOLDMAN of New York. The State Department was subpoenaed. The Defense Department was subpoenaed. Not a single document was received.

Mr. Speaker, I look forward to whoever one day is the Republican Secretary of State or Secretary of Defense to be held in inherent contempt and fined \$10,000.

□ 1830

There were more than a dozen witnesses who refused to comply with the subpoena, and I am not even talking about the five House Republicans who defied subpoenas in the last Congress that were determined by a court to be lawful and who would also be subject to inherent contempt because, of course, if this case where the audiotape is not provided, then blowing off a subpoena is definitely contempt.

You ought to be careful about the precedent you are setting because it is going to hurt you and your dear leader far more than us.

The SPEAKER pro tempore. Members, again, are reminded to address their remarks to the Chair.

Mrs. LUNA. Mr. Speaker, I remind my colleagues that audio recordings were used against both Trump and Nixon during impeachments. Also, I believe the precedent has already been set as there are Republicans in jail for ignoring subpoenas, and the Attorney General is not above the law.

Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. FRY), my colleague.

Mr. FRY. Mr. Speaker, I rise today in support of the resolution to hold Attorney General Merrick Garland in inherent contempt of Congress.

This is not a decision that I take lightly but one that is rooted in the fundamental principle and appreciation of our separation of powers.

Merrick Garland claims that he will “not back down from defending democracy,” but he has gone to great lengths to ignore and discredit our legislative oversight.

Merrick Garland claims that there have been “unprecedented” and “unfounded” attacks on the justice system, but all the while his Department of Justice has weaponized our government in unprecedented and unfounded ways. Merrick Garland claims, again, that he will continue to do the right thing.

The right thing here, Mr. Speaker, would be to comply with a lawfully issued subpoena. We have the transcripts. You cannot now claim executive privilege over the tapes themselves.

The Supreme Court case of *McGrain v. Daugherty* put it best: “A legislative body cannot legislate wisely or effectively in the absence of information . . . and where the legislative body does not itself possess the requisite information . . . recourse must be had to others who do possess it.”

Mr. MCGOVERN. Mr. Speaker, I will note for the record that the gentlewoman from Florida can say whatever she wants about President Biden and the DOJ, but I can’t say what I think about this resolution. Maybe that is the way it works in the Kremlin, but we are in the United States Congress, and we are supposed to be able to say what we believe and be able to express ourselves freely. That is the First Amendment.

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

Mrs. LUNA. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. GRIFFITH), my colleague.

Mr. GRIFFITH. Mr. Speaker, at what point will the United States House of Representatives stand up and say we aren’t going to take it from the executive branch anymore?

I say to my colleagues on the other side of the aisle, this is not about Democrats versus Republicans; this is about Congress versus the executive branch.

If the executive branch had a problem with the subpoena, they should not have filed a motion to quash. They should have taken it to the third branch of government and made sure that the subpoena was proper.

They didn’t do that. They decided to be executive across the board to dictate to this House, elected by the people, what the terms were going to be. I won’t stand for it anymore. It is time we used our inherent contempt and hold the Attorney General in contempt of Congress.

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

Mrs. LUNA. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. ALFORD).

Mr. ALFORD. Mr. Speaker, I thank the gentlewoman for bringing this resolution.

Mr. Speaker, it is with a heavy heart that we are here today.

Look, no one wanted to take it to this step. This has been forced upon us by the Attorney General of the United States of America. He has thumbed his nose at this very institution.

Mr. Speaker, if you look in the drawer right below you there, because I was up there 2 days ago, and you pull out the drawer, there is a book this thick, the “Jefferson’s Manual.” On page 142 through 147, you will find delineated and described caseloads of inherent contempt, upheld by the Supreme Court of the United States.

Now, I will grant you this: This tool in the toolbox of the U.S. House of Representatives has not been used in some time, but that does not mean it is ineffective and should not be used.

This body is precious. We need to protect this body, and when another branch of this government thumbs its nose at this body, we have to act to protect the reputation and prestige of this body, or we will lose it.

The Attorney General is not above the law. Merrick Garland, as a Federal judge, if someone had ignored his subpoena, he would have them in jail, locked up that night. Our option under “Jefferson’s Manual” is to do that very thing: to have the Sergeant at Arms go and arrest the Attorney General.

We are choosing not to do this but instead issue a \$10,000 fine until he turns over those tapes. At this point, this is not about what is on these tapes. This is about the principle of the United States House of Representatives protecting its reputation and bringing to justice, bringing to light the information on that tape and securing the liberties of the United States of America.

If we do not do this, our Republic will be lost. This is so important to our body and the future of what we must do here.

Mr. MCGOVERN. Mr. Speaker, there were a lot of things that I have heard on the floor today that I find offensive, but I am not a snowflake, and I am not going to try to silence anybody.

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

Mrs. LUNA. Mr. Speaker, I yield 1½ minutes to the gentleman from Louisiana (Mr. HIGGINS).

Mr. HIGGINS of Louisiana. Mr. Speaker, to my colleagues across the aisle, this is about the quality of the evidence. Surely everyone recognizes that the Oversight Committee is the body of authority of Congress that has responsibility to hold the executive branch accountable.

In the process of our committee work on the Oversight Committee, we seek intelligence and data from the executive branch all the time. Sometimes it is voluntary. Sometimes it requires a subpoena.

In this case, we had to use subpoena authority, which we did. That is a process that we went through. It provided us a description of the evidence. A transcript is not an audio file; it is a description of an audio file. If you have a crime committed, in the evidence you are not going to look at a picture of a knife or a description of a bloody shoe or a glove. You need the knife or the shoe or the glove.

We could provide our own description. We don’t know if the transcript is accurate or not because we don’t have the audio file. There is zero value to a transcript in a process like this without the original quality evidence. My attorney friends over there know this.

As an investigator I say it is quite simple: Give us the original evidence. What do you have to hide?

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

Mrs. LUNA. Mr. Speaker, may I inquire as to the time remaining.

The SPEAKER pro tempore. The gentlewoman from Florida has 17 minutes remaining.

Mrs. LUNA. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ROY).

Mr. ROY. Mr. Speaker, I thank the gentlewoman from Florida for yielding.

Mr. Speaker, the reason we are here, the reason that the Attorney General of the United States has already been held in contempt, is because Special Counsel Hur interviewed the President of the United States and the Attorney General provided to Congress, at our request, a transcript rather than an audio recording.

We believe the audio recording is necessary for us to understand the extent to which the President was able to answer the questions before him and why Special Counsel Hur chose not to pursue charges directly as a result of what he put forward as the likelihood that the President would not be found effectively competent to stand trial. We believe that is central to the question.

In terms of legislative purpose, what we are talking about here, by the way, is an impeachment inquiry and the tools of the House through the Judiciary Committee includes our ability to go forward and get the appropriate information, and we have a purpose which is the impeachment inquiry. It is nothing more. It is nothing less.

Now, in the Judiciary Committee, the Attorney General of the United States in a question that I asked him, his response was that the evidence was the same. The transcript and the audio were the same.

If that is true, then the Attorney General has no real basis, having already waived privilege on the transcript, not claimed privilege on the transcript, has no real basis for not giving the audio to the United States Congress to carry out its duty for an impeachment inquiry.

Mr. MCGOVERN. Mr. Speaker, I find it curious that my colleagues on the

other side of the aisle have not said one single word about JIM JORDAN defying a congressional subpoena, but then, again, this debate is not on the level.

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

Mrs. LUNA. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. BURCHETT).

Mr. BURCHETT. Mr. Speaker, I thank Congresswoman LUNA for yielding to me.

Mr. Speaker, a few weeks ago, Congress held Attorney General Merrick Garland in criminal contempt of Congress. He refused to comply with two congressional subpoenas and hand over the tapes of the President's interview with Special Counsel Robert Hur.

After the interview, Robert Hur called the President "a sympathetic, well-meaning, elderly man with a poor memory," and that is a quote. It is clear the Attorney General is trying to cover up our President's mental decline, but it is not working.

Every single person can see that the President is not well. The House already voted to hold Attorney General Merrick Garland in criminal contempt of Congress a few weeks ago for defying the subpoenas, but there are three different kinds of contempt, Mr. Speaker: criminal, civil, and inherent contempt of Congress.

Holding someone in criminal contempt puts the Justice Department, which is controlled by Merrick Garland, in charge of taking action against the person.

By holding him in inherent contempt, we put the responsibility back in the hands of Congress where it belongs. This resolution fines the Attorney General \$10,000 every day he continues to defy the congressional subpoenas and hand over those tapes.

Some folks don't want us doing this right now, and I understand that. It is an election year. I think this is exactly what we need to do, though, right now. These tapes will show the American people that our President is not well and not fit to be President of the United States.

No one, not even our Attorney General, is above the law. He needs to be held accountable and hand over those recordings to Congress.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President to include making reference to other sources that would have been out of order if spoken in the Member's own words.

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

Mrs. LUNA. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado (Ms. Boebert).

Ms. BOEBERT. Mr. Speaker, I thank my friend, ANNA PAULINA LUNA, the Representative from Florida, for leading this important resolution.

I just have one question: What is the Biden administration trying to hide?

Attorney General Merrick Garland's refusal to produce evidence establishes

a clear pattern of obstruction by the Department of Justice, or rather injustice during this administration, to cover up Joe Biden's wrongdoings.

Joe Biden has lied to the American people about his mishandling of classified documents. Never mind the stories about his uncle being eaten by cannibals. We are not touching that today, but he has also repeatedly denied knowing about or being involved in his family's influence peddling schemes, which the Oversight Committee can now show has raked in \$18 million from foreign individuals and entities for Biden family members, including Joe Biden himself.

After the debate, it has grown increasingly apparent that Joe Biden has repeatedly made false statements to the American people about his ability to even lead this country.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mrs. LUNA. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from Colorado.

□ 1845

Ms. BOEBERT. Mr. Speaker, enough is enough. Biden's Department of Justice has taken every step to insulate him from any consequences, whether it is hiding these audio recordings or attempting to give Hunter Biden a sweetheart deal. This is absolutely unacceptable.

The House of Representatives cannot serve as a necessary check on the Presidency if the executive branch is free to ignore the House's subpoenas. It is clear the Biden crime family believes they are above the law.

I urge my colleagues to vote in favor of this important resolution and force Biden's crooked DOJ to hand over the tapes and hold Attorney General Merrick Garland in contempt of Congress.

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

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

Mr. Speaker, I am not going to formally ask that her words be taken down, but the hypocrisy here is astounding. I get silenced for characterizing a bill in a negative way, and they continue to insult the President of the United States and his family and everybody else.

This is outrageous. It has to stop. This is the House of Representatives. This is not some rightwing radio talk show. This is where we are supposed to have serious debate. This is just wrong.

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

Mrs. LUNA. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. MILLS).

Mr. MILLS. Mr. Speaker, I would love to first start by thanking my colleague from Florida for allowing me this time.

I have heard the other side of the aisle talk about constitutionality and

what our roles and responsibilities are here in Congress, but the one that they fail to understand the most is oversight and accountability. That is something that is afforded to us under Article I as the legislative body.

In doing so, we are requested to ensure that we have not just the written but the audio and other testimony that was actually provided, which, by the way, is paid for by the U.S. taxpayers and, therefore, has the right to be heard.

Special Counsel Robert Hur made it very clear when he was investigating the improper maintenance and keeping of classified documents that were not protected by executive privilege by President Joe Biden in his garage and University of Pennsylvania—that is what we are demanding, is to hear the further testimony to this and not just sit here and look at the written or the "elderly man with a poor memory," a quote from Robert Hur.

Again, I ask the question, what is it that they are trying to hide? Is it either that he is not mentally and physically fit and capable to be the Commander in Chief, and, therefore, the 25th Amendment should be invoked, or is it the fact that he is mentally fit and therefore should be indicted and treated in the same manner that Special Counsel Jack Smith treated President Trump? It has to be one or the other.

The Trump audio was actually demanded by Congress during their continuation of the Russia, Russia, Russia, Ukraine, Ukraine, Ukraine witch hunts.

We will also note that the House has actually done this to hold people in contempt. We have right now Peter Navarro and Steve Bannon who have been in prison for this very same thing.

I urge all of my colleagues to support Mrs. LUNA's resolution, ensuring that we, as Article I congressional bodies, uphold our constitutional oath and responsibility to guarantee that the rule of law is maintained and kept at all times.

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

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

Mrs. LUNA. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Mr. Speaker, I thank the gentlewoman for bringing the resolution.

To address the other side's claims about subpoenas to Members, they are invalid when you get your buddies together, predetermine the outcome, and then have an illegitimate committee, so-called, that doesn't follow and comport with the rules of the House.

By the way, some of the Members accused here were never even served those subpoenas, so let's be careful about disparaging our colleagues.

On the issue at hand, Mr. Speaker, this was a criminal investigation conducted by Robert Hur, a criminal investigation on the President of the

United States for classified documents for which he was not authorized to have because, at the time he had them, he was not the President. He was the Vice President or a Senator and, in either case, not authorized to have those documents outside the chain of custody and outside a SCIF. He had no courier orders. They were just stored in his garage or at the Penn Biden Center.

That is the crime. The crime was committed. That is actually not in question. Robert Hur essentially said that there was a crime committed. The question is of the evidence of the crime committed. What the administration, the Department of Justice, and Merrick Garland have said is: You can't have the evidence. We are going to tell you our version of the evidence.

That is not how it goes in criminal trials. We don't say to the defendant: Give us your version of the evidence, and we will see if that is good enough. Prosecutors go get the evidence and then determine where it leads.

This House of Representatives demands the best evidence, not somebody else's version of the evidence, but the actual evidence, and the best evidence available, not because the House of Representatives inherently needs it, but because the American people need to judge for themselves about the crime that was committed and then why Robert Hur decided not to prosecute that crime.

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

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

Mr. Speaker, just for the record, the Attorney General is not ignoring anything, like they do on their side. In fact, he made the entire underlying report public. He has released the entire transcript. He has done everything that was expected of him.

Once again, Mr. Speaker, I need to point this out for the record: My Republican colleagues don't care when Republicans ignore subpoenas. That is okay, but they have a different standard for Democrats. Just like in debate, Republicans can say whatever they want: personal attacks against the President, personal attacks against the Attorney General, you know, awful things. That is fine. That is okay. They can say whatever they want. I characterize a bill in a way that they don't like, and they threaten to silence me, to take my words down.

This is not the Kremlin, my friends. This is the United States House of Representatives, and we still live in a democracy where people can express themselves. That has not changed, at least not yet.

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

Mrs. LUNA. Mr. Speaker, may I inquire how much time I have remaining.

The SPEAKER pro tempore. The gentlewoman from Florida has 8 minutes remaining.

Mrs. LUNA. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Mr. Speaker, what I find intriguing is we have had references repeatedly tonight that this is not the Kremlin and assertions that some of us received subpoenas and didn't respond. This individual doesn't know the facts. When a subpoena was issued, does he know whether service was ever made? Does he know that? The answer is no, and it wasn't.

Let's talk about why we are here today. The other side says: Wait a second, Mr. Garland was in compliance because he provided a written transcript that was accurate—except for what happened 3 weeks ago now, the DOJ itself in pleadings to the court said: We made changes to the transcript, but don't worry, don't worry about those changes. They were de minimis. We took out repeat words. We took out pauses. We took out all kinds of things that were just small in nature.

How do we know? We don't know. However, there was an audio recording. Isn't that fortunate? There was an audio recording.

Just like in the Nixon tapes—and this is the controlling law here—the Court said if you change the written transcript, you have to provide the audio recording. That is what the Court said. My friends across the aisle said we have to rely on what the Court said. The Court said if you have doctored or altered or changed or edited the transcript, the written transcript, you have to provide the audio recording.

That is all we are asking for. Comply with that. Comply with the law. Comply with the subpoena you were given, the subpoena that you didn't contest, that you admitted you were served with, that you admitted controls.

Now, you claim executive privilege, but you can't claim executive privilege because you waived it.

The courts have ruled on that, too. It has to be timely. They didn't make a timely objection. It has to be related to official duties. This wasn't related to official duties.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mrs. LUNA. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Arizona.

Mr. BIGGS. Mr. Speaker, it wasn't related to official duties. They have waived the privilege. Merrick Garland waived the privilege. He now needs to respond, and he continues to say no.

We have the authority. We have the inherent contempt authority, and we need to use that authority if we are going to maintain our Article I authorities and the separation of powers.

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. GOLDMAN).

Mr. GOLDMAN of New York. Mr. Speaker, I thank the ranking member for yielding. I am sorry for this body that you have had to endure such hypo-

critical conduct in silencing you. Luckily, I am not silenced, and I am happy to respond to some of the bogus and egregious allegations from my colleagues on the other side of the aisle.

First, my friend from Georgia expounded upon the weaponization of the Department of Justice by President Biden. It was interesting to me that she mentioned that the Department of Justice is apparently, under Joe Biden's direction, persecuting Catholics. Joe Biden is Catholic, so that is an interesting weaponization of the Department of Justice.

You would think that if someone were going to weaponize the Department of Justice for political purposes that he would intervene or interfere in a prosecution of his own son, but, no, he didn't do that. In fact, the only people who intervened and interfered in that investigation were my colleagues on the other side of the aisle, who inappropriately and improperly intervened in an ongoing Federal criminal case by urging a judge to reject the plea agreement in the Hunter Biden case.

Now, they say we are here because congressional power must be protected. Apparently, congressional power is meaningless if it is used against their buddies, Steve Bannon and Peter Navarro, who completely blew off a congressional subpoena and had no basis, no rationale, no defense for not showing up. They are in jail not because of inherent contempt. They are in jail because they were convicted of a crime, because they blew it off.

Now, you can say what you want about the January 6th Committee. You can say it was unlawful. Federal judges determined it to be lawful.

If your excuse as to why you did not comply is that you did not receive service of the subpoena, it is laughable.

Finally, I would like just to point out that the basis they have mentioned about why they need this recording, one of my colleagues said, was to determine whether President Biden was able to answer questions before him and why the special counsel did not pursue charges. It is not a legitimate legislative purpose for Congress to second-guess Federal prosecutorial discretion. You may want it, but you have no legitimate reason for it.

If your argument is that executive privilege is waived, maybe it is, but you don't get to decide that. A court decides it.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. GOLDMAN of New York. Mr. Speaker, this is a political stunt solely designed to placate and support Donald Trump, their nominee for President. They are making sure that they do everything possible to provide him with fodder for his campaign because there is no basis for any contempt, much less inherent contempt, and it is shameful that you have stood here trying to call

upon congressional power and separation of powers when you refuse to do so for any Republican, including your own colleagues who defy subpoenas right, left, and center. Be careful because what goes around comes around.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mrs. LUNA. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GRIFFITH).

Mr. GRIFFITH. Mr. Speaker, I have heard this motion called a political stunt. Let me assure my colleagues, Mr. Speaker, this is no political stunt. Congress must use its inherent authority when it deems it proper. This is a proper use of that.

I would say to the gentleman, my feelings on this have nothing to do with the current situation politically. I advocated to then-Speaker John Boehner that we use this measure on Eric Holder if he chose to come to the floor of the House for a State of the Union Address after having been found in contempt.

It may very well be, Mr. Speaker, that on the general contempt, the criminal contempt, the Department of Justice headed by Merrick Garland can use prosecutorial discretion, which they did, which is also why it is inherent on Congress to use its inherent contempt power because if we only can rely on the Attorney General to hold himself or charge himself with contempt, Congress no longer has the power to subpoena, Congress no longer has the power to do its oversight, to do its investigations into any part of the Federal Government, and we will be taking away all of the power. We will be emasculating the United States Congress.

It is not appropriate. We should have used this power 10 years ago. We should have used this power 8 years ago. Now, we must restore the ability of the United States Congress to get its subpoenas answered from the executive branch of this country.

If there is a problem, Mr. Speaker, if the executive branch thinks we have overreached, if the executive branch thinks we have done something wrong, we have a third branch to make a decision on that, but the first step is for us to recognize and defend our constitutional prerogatives to do our job and to defend the United States Congress with inherent contempt against the executive branch.

□ 1900

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

In closing, I feel very sad for our country based on what is happening right now on the House floor. I don't believe this is a serious effort. I believe it is very political, quite frankly.

What this really is about is Republicans are upset that they can't get their hands on an audio recording so they can use it in an RNC attack ad. That is really what this is all about.

When Republicans get subpoenas, they run and hide.

The Attorney General, in my view, and I think in the view of most people, has complied, has done what he is supposed to do, what he is expected to do.

We are faced with so many challenges in this country. I mentioned in my opening statement that we need to focus in on how do we help the American people, how do we continue to move in the direction of lowering inflation, creating more jobs, creating more opportunities for young people, helping our veterans, and protecting our environment. All of those things are incredibly important, and this is what we are doing. This is what we are doing here today. It is really sad.

Quite frankly, it is chilling and it is scary when you think about what could happen if they get more power. Just read Project 2025. It tells you all you need to know about what the plan is.

I have got to say again, Mr. Speaker, and then I will close, that I am astounded at the latitude that has been afforded the Republicans during this debate to say whatever the hell they want to say, to disparage the President in any way they want.

When I disparaged their resolution, they threatened to take my words down and have me silenced if I didn't withdraw those words. I can't believe it. I have never seen anything quite like this happen.

The freedom-loving Republicans, the way they respond in debate is to try to silence comments by people that they disagree with. This is chilling. This is not what this institution is about. This is not what this country is about.

I would urge the Speaker to take note of this. We have to find a way forward here where it is not so one-sided, where they can say whatever they want to say, but I can't say anything, basically. I have to watch every single word I say on this floor. This is unprecedented.

I will say, Mr. Speaker, they have a set of rules for themselves, and they have a set of rules for us, people they disagree with. If this is the coming attractions, God help our country. We need to do better.

Again, I would urge all my colleagues to vote "no" on this. I would like to be able to characterize it, but I am afraid my colleague will take offense and want to take my words down again.

This is not serious. This is beneath this institution, and I would urge my colleagues to vote "no."

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

Mrs. LUNA. Mr. Speaker, may I inquire as to the time remaining.

The SPEAKER pro tempore. The gentleman from Florida has 3½ minutes remaining.

Mrs. LUNA. Mr. Speaker, I yield myself the balance of my time.

This is not a decision that we have reached lightly, but the actions of the Attorney General cannot be ignored. No one is above the law, yet the Attor-

ney General has sought to put himself above the law, and the DOJ failed to do their job, which is why we are using inherent contempt.

Despite what my colleagues may think, this is not a stupid idea but actually our constitutional duty and is well within the scope of our legislative authority to assert the House's power in this manner.

The arguments against the House standing up for itself are a last-ditch effort made by people who are intent on covering up for President Biden and Attorney General Garland.

The issue at hand is the enforcement of a congressional subpoena, a fundamental tool of oversight that is being undermined.

If this body is to continue, we cannot sit by any longer. The House of Representatives must not be ignored, and the time for action is now.

This resolution is more than Merrick Garland. It is about whether or not the House of Representatives will be able to function properly. As the court said in *Anderson v. Dunn*, without the power of inherent contempt, the House would be exposed to every indignity and interruption, that rudeness, or even conspiracy, may mediate against it.

We cannot allow this to happen, Mr. Speaker. If we do not assert our authority, we risk setting a dangerous precedent where the House's power is eroded and our ability to fulfill our congressional duties is compromised. The consequences of inaction are grave.

In conclusion, we must remain vigilant and assert our authority to ensure the balance of power in our Republic.

I urge all of you to support this resolution and defend the integrity of the House of Representatives.

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

The SPEAKER pro tempore. All time for debate having expired, without objection, the previous question is ordered on the resolution.

The question is on adoption of the resolution.

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

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

The yeas and nays were ordered.

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

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HOOR OF MEETING ON TOMORROW

Mr. CARTER of Georgia. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.