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3 MARKUP OF: H. RES. 938, AND H. RES. 928

4 Tuesday, June 26, 2018

5 House of Representatives,

6 Committee on the Judiciary,

7 Washington, D.C.

8 The committee met, pursuant to call, at 10:00 a.m., in
9 Room 2141, Rayburn House Office Building, Hon. Bob Goodlatte
10 [chairman of the committee] presiding.

11 Present: Representatives Goodlatte, Smith, Chabot,
12 Issa, King, Gohmert, Jordan, Poe, Marino, Labrador, Collins,
13 DeSantis, Buck, Ratcliffe, Gaetz, Johnson of Louisiana,
14 Biggs, Rutherford, Handel, Rothfus, Nadler, Lofgren, Jackson
15 Lee, Cohen, Johnson of Georgia, Deutch, Bass, Jeffries,
16 Cicilline, Swalwell, Lieu, Raskin, Jayapal, Schneider, and
17 Demings.

18 Staff Present: Shelley Husband, Staff Director; Branden
19 Ritchie, Deputy Staff Director; Zach Somers, Parliamentarian
20 and General Counsel; Alley Adcock, Clerk; Aaron Hiller,

21 Minority Counsel; Arya Hariharan, Minority Counsel; Matthew
22 Morgan, Minority Counsel; David Greengrass, Minority Senior
23 Counsel; Rachel Calanni, Minority Professional Staff Member;
24 Danielle Brown, Chief Legislative Counsel and
25 Parliamentarian; and Perry Apelbaum, Minority Counsel.

26 Chairman Goodlatte. The Judiciary Committee will come
27 to order, and without objection the chair is authorized to
28 declare a recess at any time.

29 Mr. Nadler. Mr. Chairman?

30 Chairman Goodlatte. For what purpose does the
31 gentleman from New York seek recognition?

32 Mr. Nadler. At 11:15 a.m. on a meeting noticed at
33 10:00 a.m., I suggest the absence of a quorum.

34 Chairman Goodlatte. The clerk will call the roll.

35 Ms. Adcock. Mr. Goodlatte?

36 Chairman Goodlatte. Present.

37 Ms. Adcock. Mr. Goodlatte votes present.

38 Mr. Sensenbrenner?

39 [No response.]

40 Mr. Smith?

41 [No response.]

42 Mr. Chabot?

43 Mr. Chabot. Present.

44 Ms. Adcock. Mr. Chabot is present.

45 Mr. Issa?

46 Mr. Issa. I am present, like the people in the
47 Democrats cloakroom on the side.

48 Ms. Adcock. Mr. Issa is present.

49 Mr. King. Here.

50 Ms. Adcock. Mr. King is here.

51 Mr. Gohmert?

52 Mr. Gohmert. Present.

53 Ms. Adcock. Mr. Gohmert is present.

54 Mr. Jordan?

55 Mr. Jordan. Here.

56 Ms. Adcock. Mr. Jordan is here.

57 Mr. Poe?

58 [No response.]

59 Mr. Marino?

60 Mr. Marino. Here.

61 Ms. Adcock. Mr. Marino is here.

62 Mr. Gowdy?

63 [No response.]

64 Mr. Labrador?

65 Mr. Labrador. Here.

66 Ms. Adcock. Mr. Labrador is here.

67 Mr. Collins?

68 [No response.]

69 Mr. DeSantis?

70 [No response.]

71 Mr. Buck?

72 Mr. Buck. Present.

73 Ms. Adcock. Mr. Buck is present.

74 Mr. Ratcliffe?

75 [No response.]

76 Mrs. Roby?
77 [No response.]
78 Mr. Gaetz?
79 Mr. Gaetz. Present.
80 Ms. Adcock. Mr. Gaetz is present.
81 Mr. Johnson of Louisiana?
82 [No response.]
83 Mr. Biggs?
84 Mr. Biggs. Here.
85 Ms. Adcock. Mr. Biggs is here.
86 Mr. Rutherford?
87 Mr. Rutherford. Present.
88 Ms. Adcock. Mr. Rutherford is present.
89 Mrs. Handel?
90 Mrs. Handel. Present.
91 Ms. Adcock. Mrs. Handel is present.
92 Mr. Rothfus?
93 [No response.]
94 Mr. Nadler?
95 [No response.]
96 Ms. Lofgren?
97 [No response.]
98 Ms. Jackson Lee?
99 [No response.]
100 Mr. Cohen?

101 [No response.]
102 Mr. Johnson of Georgia?
103 [No response.]
104 Mr. Deutch?
105 [No response.]
106 Mr. Gutierrez?
107 [No response.]
108 Ms. Bass?
109 [No response.]
110 Mr. Richmond?
111 [No response.]
112 Mr. Jeffries?
113 [No response.]
114 Mr. Cicilline?
115 [No response.]
116 Mr. Swalwell?
117 [No response.]
118 Mr. Lieu?
119 [No response.]
120 Mr. Raskin?
121 [No response.]
122 Ms. Jayapal?
123 [No response.]
124 Mr. Schneider?
125 [No response.]

126 Ms. Demings?

127 [No response.]

128 Chairman Goodlatte. The gentleman from Florida?

129 Mr. DeSantis. Present.

130 Ms. Adcock. Mr. DeSantis is present.

131 Chairman Goodlatte. The gentleman from Texas, Mr. Poe?

132 Mr. Poe. Here.

133 Ms. Adcock. Mr. Poe is here.

134 Chairman Goodlatte. Has every member been recorded who
135 wishes to be recorded? The clerk will report.

136 Ms. Adcock. Mr. Chairman, 15 members present.

137 Chairman Goodlatte. And a working quorum is
138 established. Pursuant to notice, I now call up House
139 resolution 938 for purpose of markup and move that the
140 committee report the bill favorably to the House. The clerk
141 will report the bill.

142 Ms. Adcock. H. Res. 938. Of inquiry directing the
143 Attorney General to provide certain documents in the
144 Attorney General's possession to the House of
145 Representatives relating to the ongoing congressional
146 investigation related to certain prosecutorial and
147 investigatory decisions made by the Department of Justice
148 and Federal Bureau of Investigation surrounding the 2016
149 election.

150 [The bill follows:]

151

***** INSERT 1 *****

152 Chairman Goodlatte. Without objection, the bill is
153 considered as read and open for amendment at any time. And
154 I will begin by recognizing myself for an opening statement.

155 This resolution of inquiry was introduced by
156 Representatives Meadows, Jordan, Gaetz, and Perry on June
157 13th. It seeks several categories of documents the
158 committee has requested from the Department of Justice,
159 first by letter and later by a subpoena issued in March.
160 These documents relate to potential Foreign Intelligence
161 Surveillance Act abuses by the Department of Justice or the
162 potential unequal treatment of the two presidential
163 campaigns by the Department.

164 Obviously, gaining access to these documents so that
165 the committee can conduct meaningful oversight in this area
166 is important. This is especially so after the release of
167 the Office of Inspector General's report which showed
168 rampant political bias by a number of key individuals at the
169 FBI. Over the course of the last 3 months, the committee
170 has been working with the Department to gain access to the
171 documents requested by this ROI and others requested in our
172 subpoena.

173 The process of gaining access to these documents has
174 been slow, to say the least, and has not to date been fully
175 completed. We have made significant progress on most of the
176 items listed in the subpoena, but I completely understand

177 the frustration reflected in this ROI and the slow pace of
178 DOJ compliance.

179 While I do not believe that this ROI is completely
180 necessary to achieve compliance with our subpoena, I also
181 believe that by highlighting the continued need for the
182 Department of Justice to produce the documents requested in
183 the subpoena it may help our ongoing efforts. And
184 therefore, I will support reporting this resolution
185 favorably to the House.

186 Finally, I would like to note that the Department
187 should be aware that the committee is willing to use all
188 means at our disposal to get complete compliance with our
189 subpoena, including oversight hearings like the one we are
190 going to have on Thursday. I intend to further question the
191 Deputy Attorney General and the FBI Director about
192 compliance with our subpoena at that hearing and encourage
193 other members to do the same.

194 I urge my colleagues to support this resolution of
195 inquiry, and at this time it is my pleasure to recognize the
196 ranking member of the Judiciary Committee, the gentleman
197 from New York, Mr. Nadler, for his opening statement.

198 [The prepared statement of Chairman Goodlatte follows:]

199 ***** COMMITTEE INSERT *****

200 Mr. Nadler. Thank you, Mr. Chairman. Mr. Chairman, I
201 will not dwell on what happened this morning, except to
202 suggest that the notice of meeting for 10:00 a.m. and not
203 convening until 11:15 a.m. is somewhat unprofessional, not
204 to mention discourteous.

205 Not counting Mr. Lieu's resolution on the pardon power,
206 which we will consider later this morning, my colleagues and
207 I have introduced five resolutions of inquiry so far this
208 Congress.

209 We have sordid information about the early stages of
210 the Russian investigation and the scope of the Attorney
211 General's recusal from that investigation. We asked for
212 documents related to the Trump administration's many abuses
213 of the ethics laws. We have asked for information about the
214 firing of James Comey, particularly after President Trump
215 told us he fired the Director because of "this Russia thing
216 with Trump and Russia."

217 And we have asked for evidence to back up the
218 President's assertion, still a total lie as far as we can
219 tell, that President Obama was a "bad, sick man," who
220 "wiretapped Trump Tower." In the ordinary course of
221 business under leadership of chairmen of either party, none
222 of these resolutions would have been necessary. Long before
223 it would have come to this, we would have conducted
224 oversight of the administration and held hearings on each of

225 these topics.

226 But in the era of Donald Trump, on each of these
227 important issues, House Republicans are largely silent. Our
228 majority has chosen to ignore each of these problems. We
229 have turned to these resolutions as a tool with which to
230 force the committee to debate matters that Republicans seem
231 unwilling to debate. Each time the majority has rejected
232 these basic requests for transparency along party lines.

233 So, what are we to make of the Meadow's resolution? H.
234 Res. 938 covers more or less the only subject matter that
235 the majority wants to investigate this Congress. Namely,
236 Hillary Clinton. It also speaks to a theory that Carter
237 Page was wrongly surveilled by the Department of Justice,
238 the same Carter Page whom it has been reported was found
239 more likely than not to be an agent of the Russian
240 government four times by the Foreign Intelligence
241 Surveillance Court.

242 There are a number of important issues facing our
243 committee right now. Hillary Clinton's emails and Carter
244 Page's general trustworthiness are not among them.
245 Nevertheless, I will support the Meadow's resolution. H.
246 Res. 938 asks for information to which this committee is
247 largely entitled, providing that our request does not
248 infringe on an ongoing criminal investigation and provided
249 that the FISA documents requested here are treated as

250 sensitive and classified documents. The Department of
251 Justice should produce these materials.

252 Yes, this request overlaps with the chairman's ongoing
253 investigation. The committee has asked for all of these
254 documents already. And I have no problem with our making
255 the same request twice. I hope that my colleagues will
256 provide us with the same consideration when we ask for
257 documents related to more pressing matters later this
258 morning.

259 Now, as Chairman Goodlatte often reminds us, when we
260 markup resolutions of inquiry sponsored by Democrat members
261 "resolutions of inquiry are not subpoenas. Rather
262 resolutions if acted upon by the House have no greater legal
263 force or affect than sending the Attorney General and the
264 President a letter requesting this information."

265 I raise this point not only to assure my colleagues
266 that the Meadow's resolution can do no harm, but also
267 because it succinctly captures the current state of the
268 subpoena issued in March by Chairman Goodlatte, a subpoena
269 that has no greater legal force or affect than sending the
270 Department of Justice a letter because the chairman did not
271 follow the rules when he sent it.

272 The chairman provided me with a draft of one subpoena
273 on March 19th and issued a different subpoena on March 22nd.
274 According to the parliamentarians, the differences are

275 material and the subpoena is unenforceable. I wrote to the
276 chairman last week about this error and I ask unanimous
277 consent to include that letter in the record now.

278 Chairman Goodlatte. Without objection, it will be made
279 part of the record.

280 [The information follows:]

281 ***** COMMITTEE INSERT *****

282 Mr. Nadler. Thank you. I do not make this point
283 because I am blocking transparency, as an anonymous
284 Republican committee staff had told Politico. Rather I make
285 this point because I insist on transparency. If you will
286 not put these subpoenas to a vote, Mr. Chairman, as you
287 promised you would when we changed the rules last Congress
288 to give the chairman this authority, then you must provide
289 us with the exact language you intend to use as our rules
290 require.

291 I am certain that Republicans will insist on the same
292 courtesy if the shoe is on the other foot next year. I will
293 support the Meadow's resolution. It cannot hurt to ask for
294 information, even if I would prioritize other lines of
295 inquiry at this time. I only hope that as this markup
296 progresses my Republican colleagues will allow for
297 transparency in other matters as well. I yield back.

298 [The prepared statement of Mr. Nadler follows:]

299 ***** COMMITTEE INSERT *****

300 Chairman Goodlatte. The chair thanks the gentleman. I
301 now recognize myself for the purpose of offering an
302 amendment in the nature of a substitute. And the clerk will
303 report the amendment.

304 Ms. Adcock. Amendment in the nature of a substitute
305 to H. Res. 938, offered by Mr. Goodlatte. Strike all that
306 follows --

307 Chairman Goodlatte. Without objection, the amendment
308 is considered as read. And I will recognize myself to
309 explain the amendment. Before I do, I would like to respond
310 Mr. Nadler regarding the matter he just raised.

311 I want to assure members that the subpoena I issued on
312 March 22nd is valid and fully enforceable. At issue is the
313 consultation with the ranking member that committee rules
314 require occur before a subpoena is issued. That
315 consultation occurred and the proposed subpoena was shared
316 with the ranking member as part of that process.

317 After the consultation, a few categories of documents
318 listed in the proposed subpoena were consolidated into the
319 first category listed in the final subpoena, "All documents
320 and communications provided to or obtained by the Department
321 of Justice's Office of Inspector General regarding the FBI's
322 decisionmaking with respect to the FBI's investigation of
323 former Secretary Clinton's private email server."

324 In addition, another category in the subpoena was

325 narrowed to be more specific. However, despite these
326 technical, nonmaterial changes, the consultation was in
327 accordance with committee rules. We have discussed this
328 issue with the House parliamentarian who believes that what
329 was done here is consistent with our rules but has stated
330 that this is an issue of committee not House rules.

331 Moreover, I would point out to the ranking member that
332 the whole point of consultation is that the subpoena may
333 change after the consultation, where were this not the case
334 the consultation contemplated by the rules would actually
335 just be a notification.

336 I do understand the ranking member's concerns however.
337 And I want to assure him that I will do my best to ensure
338 that copies of proposed subpoenas shared with him during
339 consultation are as close to identical to the final product
340 as is possible given the time constraints that can
341 inevitably exist when the committee must resort to issuing a
342 subpoena.

343 I am offering this substitute amendment to House
344 resolution 938 for two reasons. First, it strikes one
345 clause in the resolution related to documents requested in
346 the committee's March subpoena and replaces it with a clause
347 related to a different set of documents requested in the
348 subpoena.

349 As introduced, the resolution requests all documents

350 and communications referring or relating to FISC hearings
351 and deliberations including any court transcripts related to
352 any FISA applications associated with Carter Page or the
353 Trump campaign or Trump administration.

354 That subpoena category has been complied with by the
355 Department. However, the Department has not fully produced
356 all documents and communications referred or relating to
357 proposed, recommended, or actual FISA coverage on the
358 Clinton Foundation or persons associated or in
359 communications with the Clinton Foundation. Accordingly, my
360 amendment adds that category of documents to the resolution.

361 Second, offering the substitute amendment preserves the
362 majority's ability to ensure that the markup of this
363 resolution proceeds smoothly and without dilatory tactics.
364 Under the rules of the House, prior to conclusion of debate
365 the previous question can only be moved in order to proceed
366 immediately to a vote on an amendment. By offering a
367 substitute amendment today, the majority is reserving the
368 right to exercise this procedural motion if necessary. The
369 chair now recognizes the gentleman from New York.

370 Mr. Nadler. Thank you, Mr. Chairman. Mr. Chairman, I
371 will simply point out two things. The point of the
372 procedural notification is to notify the majority and to
373 give them notice of what is actually in the subpoena. And
374 as a courtesy -- I am sorry, to notify the minority -- and

375 as a courtesy to the minority, and that any change makes it
376 different, obviously.

377 You can debate whether the change is material or not.
378 We think they are. The parliamentarians, I am told, think
379 they are, but that is not the point.

380 I would also point out that when this rule was adopted
381 at the beginning of last year it was a departure from the
382 normal practice that the committee votes on a subpoena. And
383 we were told that -- we were assured in open session as well
384 as in closed conversation -- that this power would be rarely
385 used and only when for some reason of exigency you could not
386 have a vote by the committee.

387 But normally subpoenas are issued only by vote of the
388 committee. And in lieu of that, when for some reason that
389 was impossible, then at least the minority would be given
390 full notice. Since that time, I do not think we have had
391 any votes, as I recall, on subpoenas.

392 All subpoenas have been issued pursuant to this
393 supposedly emergency authority by the chairman, without a
394 vote of the committee, which I think is unprecedented in
395 certainly this committee's history as a normal practice. I
396 do not know that it has never happened. And that it is
397 wrong as a matter of comity and courtesy to make any changes
398 after this notice. If the subpoena was changed in any way,
399 it is not up to the majority to decide whether it is a

400 material change. It is up to them to give proper notice and
401 a copy to the minority with proper time considerations.

402 I would also point out that failure to do so is not
403 only, I think, a violation of the rules but it is a
404 violation of courtesy, as is starting a committee meeting an
405 hour and a half or an hour and a quarter late also a
406 violation of comity and courtesy. And I would hope that the
407 majority would behave in a better fashion in a better
408 fashion in the future. I yield back.

409 Mr. Jordan. I have an amendment at the desk.

410 Chairman Goodlatte. For what purpose does the
411 gentleman from Ohio seek recognition?

412 Mr. Jordan. I have an amendment, Mr. Chairman.

413 Chairman Goodlatte. The clerk will report the
414 amendment.

415 Mr. Jordan. But I am not sure it is being -- oh, we do
416 have it? Oh, here we go. Okay. Great.

417 Chairman Goodlatte. Point of order has been reserved.
418 The clerk will report the amendment.

419 Ms. Adcock. Amendment to the amendment in the nature
420 of a substitute to H. Res. 938, offered by Mr. Jordan. Page
421 one --

422 Chairman Goodlatte. Without objection, the amendment
423 is considered as read, and the gentleman is recognized for 5
424 minutes on his amendment.

425 Mr. Jordan. I thank the chairman. Last week, when
426 Congressman Meadows introduced his resolution of inquiry,
427 the same day we also introduced a sense of Congress
428 resolution. This in fact is that language offered as an
429 amendment to the amendment in the nature of a substitute.
430 Here is the bottom line.

431 We are sick and tired of the Department of Justice
432 giving us the runaround. As a separate and equal branch of
433 government, we have a right -- even the ranking member said
434 this -- we have a right to get information so we can do our
435 constitutional duty.

436 Eleven months ago, this committee with the chairman --
437 19 members of this committee said we need a second special
438 counsel because we do not think the FBI and the DOJ can
439 investigate themselves. There have been several requests
440 for documents over the last year. Many of those have not
441 been complied with. Two subpoenas, one issued by Chairman
442 Goodlatte, one by Chairman Nunes, have not been complied
443 with. We have caught the Department of Justice hiding
444 information.

445 The now-famous text messages between Mr. Strzok and Ms.
446 Page. We caught them hiding information that in fact Peter
447 Strzok was friends with one of the FISA court judges, Judge
448 Contreras. Also happened to be the judge who presided over
449 the Mike Flynn case recused himself from that case, not

450 before, but after which is highly unusual. They tried to
451 hide that information from the United States Congress, not
452 to mention the fact that Andy McCabe spent \$70,000 on a
453 table at the FBI. They tried to hide that as well. Not
454 because it was classified, not because it dealt with an
455 ongoing investigation. Just because it embarrassed the FBI
456 and the Justice Department.

457 The August 2nd memo that Mr. Rosenstein put together
458 which alters the scope of Special Counsel Mueller's
459 investigation? They will not let us see that. Now, think
460 about this. It seems to me the United States Congress, and
461 more importantly the American people, have a right to know
462 the full parameters of any investigation into the person
463 they elected as President of the United States. But Mr.
464 Rosenstein says no. Will not show us that either.

465 And finally, we know that Mr. Rosenstein, according to
466 press accounts, threatened -- think about this. We all have
467 important staff on our committees and in our personal
468 offices. Mr. Rosenstein threatened staff members on the
469 House Intelligence Committee. So, this resolution says,
470 look, we want the information.

471 Once the House passes this, Mr. Rosenstein, you have 7
472 days to get it to us. And we want the full weight of the
473 United States House of Representatives behind this
474 resolution saying we are entitled, again, as a separate and

475 equal branch of government to get the information we need to
476 do our oversight duty.

477 Finally, the last thing I would mention is this. If
478 you do not think this is necessary that we get the
479 information, think about what we have witnessed at the
480 Federal Bureau of Investigation. James Comey, fired. Andy
481 McCabe, deputy director, fired. Lied 3 times under oath;
482 not according to Republicans but according to the Inspector
483 General's report. Faces a criminal referral. Jim Rybicki,
484 chief of staff at the FBI, has left. Jim Baker, general
485 counsel at the FBI, was demoted and now left the FBI. Lisa
486 Page, FBI counsel, was demoted and has since left the FBI.
487 And Peter Strzok, deputy head of counter intelligence, was
488 demoted and was walked out of FBI headquarters just a few
489 days ago.

490 I do not know in my time in Washington where I have
491 ever seen a Federal agency where the top six people who --
492 oh, by the way, happen to be the same six people who were
493 key players in the Clinton investigation and key players in
494 launching the Trump/Russia investigation -- I do not know
495 that I have ever seen six key people at a Federal agency
496 where they have been fired, demoted, and left. I have never
497 seen that.

498 So, this resolution is entirely in order. The right
499 thing to do. I appreciate the chairman's support of it and

500 would urge its adoption. Mr. Chairman, with that, I yield
501 back.

502 Mr. Chabot. [Presiding.] The gentleman yields back.

503 Mr. Nadler. Mr. Chairman?

504 Mr. Chabot. Yes. The gentleman is recognized.

505 Mr. Nadler. I now make my point of order that this
506 amendment, so called, is not germane. It is way beyond the
507 scope of the resolution of inquiry. It demands documents.
508 I believe that it is way beyond the scope of the resolution
509 of inquiry. And it is a sense of Congress and would break
510 the privilege afforded the resolution of inquiry and is,
511 therefore, out of order and ungermane.

512 Mr. Chabot. Thank you. The gentleman yields back.

513 The gentleman from New York is correct. The amendment
514 is not germane.

515 Mr. Jordan. Mr. Chairman, I would appeal the ruling of
516 the chair.

517 Mr. Chabot. The ruling of the chair has been appealed.

518 All those in favor say aye.

519 All those opposed, nay.

520 In the opinion of the chair, the noes have it.

521 Mr. Jordan. I would ask for a roll call vote.

522 Mr. Chabot. The clerk will report the roll.

523 Mr. Nadler. Mr. Chairman?

524 Mr. Chabot. The gentleman is recognized.

525 Mr. Nadler. The point of parliamentary inquiry. Am I
526 correct that an aye vote is a vote to appeal the ruling of
527 the chair? Is it a vote to overturn the ruling of the
528 chair? And a nay vote is to sustain the ruling of the chair
529 that the amendment is not in order?

530 Mr. Chabot. The gentleman is correct.

531 Mr. Nadler. Thank you.

532 Ms. Adcock. Mr. Goodlatte?

533 [No response.]

534 Mr. Sensenbrenner?

535 [No response.]

536 Mr. Smith?

537 Mr. Smith. Aye.

538 Ms. Adcock. Mr. Smith votes aye.

539 Mr. Chabot?

540 Mr. Chabot. Present.

541 Ms. Adcock. Mr. Chabot votes present.

542 Mr. Issa?

543 [No response.]

544 Mr. King?

545 Mr. King. Aye.

546 Ms. Adcock. Mr. King votes aye.

547 Mr. Gohmert?

548 Mr. Gohmert. Aye.

549 Ms. Adcock. Mr. Gohmert votes aye.

550 Mr. Jordan?

551 Mr. Jordan. Yes.

552 Ms. Adcock. Mr. Jordan votes yes.

553 Mr. Poe?

554 [No response.]

555 Mr. Marino?

556 Mr. Marino. Yes.

557 Ms. Adcock. Mr. Marino votes yes.

558 Mr. Gowdy?

559 [No response.]

560 Mr. Labrador?

561 Mr. Labrador. Yes.

562 Ms. Adcock. Mr. Labrador votes yes.

563 Mr. Collins?

564 Mr. Collins. Yes

565 Ms. Adcock. Mr. Collins votes yes.

566 Mr. DeSantis?

567 [No response.]

568 Mr. Buck?

569 Mr. Buck. Aye.

570 Ms. Adcock. Mr. Buck votes aye.

571 Mr. Ratcliffe?

572 [No response.]

573 Mrs. Roby?

574 [No response.]

575 Mr. Gaetz?

576 Mr. Gaetz. Aye.

577 Ms. Adcock. Mr. Gaetz votes aye.

578 Mr. Johnson of Louisiana?

579 Mr. Johnson of Louisiana. Aye.

580 Ms. Adcock. Mr. Johnson votes aye.

581 Mr. Biggs?

582 Mr. Biggs. Aye.

583 Ms. Adcock. Mr. Biggs votes aye.

584 Mr. Rutherford?

585 Mr. Rutherford. Aye.

586 Ms. Adcock. Mr. Rutherford votes aye.

587 Mrs. Handel?

588 Mrs. Handel. Yes.

589 Ms. Adcock. Mrs. Handel votes yes.

590 Mr. Rothfus?

591 Mr. Rothfus. Aye.

592 Ms. Adcock. Mr. Rothfus votes aye.

593 Mr. Nadler?

594 Mr. Nadler. No.

595 Ms. Adcock. Mr. Nadler votes no.

596 Ms. Lofgren?

597 [No response.]

598 Ms. Jackson Lee?

599 Ms. Jackson Lee. No.

600 Ms. Adcock. Ms. Jackson Lee votes no.
601 Mr. Cohen?
602 Mr. Cohen. No.
603 Ms. Adcock. Mr. Cohen votes no.
604 Mr. Johnson of Georgia?
605 [No response.]
606 Mr. Deutch?
607 [No response.]
608 Mr. Gutierrez?
609 [No response.]
610 Ms. Bass?
611 Ms. Bass. No.
612 Ms. Adcock. Ms. Bass votes no.
613 Mr. Richmond?
614 [No response.]
615 Mr. Jeffries?
616 Mr. Jeffries. No.
617 Ms. Adcock. Mr. Jeffries votes no.
618 Mr. Cicilline?
619 Mr. Cicilline. No.
620 Ms. Adcock. Mr. Cicilline votes no.
621 Mr. Swalwell?
622 Mr. Swalwell. No.
623 Ms. Adcock. Mr. Swalwell votes no.
624 Mr. Lieu?

625 Mr. Lieu. No.

626 Ms. Adcock. Mr. Lieu votes no.

627 Mr. Raskin?

628 Mr. Raskin. No.

629 Ms. Adcock. Mr. Raskin votes no.

630 Ms. Jayapal?

631 [No response.]

632 Mr. Schneider?

633 Mr. Schneider. No.

634 Ms. Adcock. Mr. Schneider votes no.

635 Ms. Demings?

636 Ms. Demings. No.

637 Ms. Adcock. Ms. Demings votes no.

638 Mr. Swalwell. Mr. Chairman, as a courtesy to Mr.

639 Goodlatte -- I can see him right now -- I want to make sure

640 that he gets recorded on this vote. I can see him right in

641 the hallway.

642 Mr. Chabot. The gentleman from Florida?

643 Chairman Goodlatte. Mr. Goodlatte votes present.

644 Mr. Chabot. The gentleman votes aye.

645 Ms. Adcock. Mr. Goodlatte votes present.

646 Mr. DeSantis votes yes.

647 Mr. Chabot. The gentleman from Florida?

648 Mr. Deutch. No.

649 Ms. Adcock. Mr. Deutch votes no.

650 Mr. Chabot. The gentlelady from Washington?

651 Ms. Jayapal. No.

652 Mr. Chabot. The gentlelady from Washington votes no.

653 Ms. Adcock. Ms. Jayapal votes no.

654 Mr. Chabot. Gentleman from California?

655 Mr. Issa. Yes.

656 Ms. Adcock. Mr. Issa votes yes.

657 Mr. Chabot. Are there any other members who seek
658 recognition? The clerk will report.

659 Ms. Adcock. Mr. Chairman, 16 members voted aye; 13
660 members voted no; 2 members voted present.

661 Mr. Chabot. So, the ayes have it. The amendment is
662 germane.

663 Mr. Nadler. Mr. Chairman? Parliamentary inquiry?

664 Mr. Chabot. The gentleman is recognized for making a
665 parliamentary inquiry.

666 Mr. Nadler. I just want to make sure that I understand
667 correctly the current state of affairs. The committee has
668 just overruled the ruling of the chair, is that correct?

669 Mr. Chabot. That is correct.

670 Mr. Nadler. And therefore, this amendment, which the
671 chair ruled is out of order, will be considered?

672 Mr. Chabot. Yes. That is correct.

673 Mr. Nadler. How does one vote on an amendment that is
674 out of order?

675 Mr. Chabot. It is no longer out of order.

676 Mr. Nadler. Well, the majority considers it no longer
677 out of order. But the rules of the House say it is out of
678 order.

679 Mr. Chabot. The chairman has been overruled and it is
680 now ruled as germane.

681 Mr. Nadler. And for the record, I will just note that
682 the chairman and the acting chairman on a motion to overrule
683 the ruling of the chair both voted present, not no. I yield
684 back.

685 Mr. Chabot. The gentleman yields back.

686 Mr. Cohen. Mr. Chairman?

687 Mr. Chabot. The gentleman is recognized.

688 Mr. Cohen. I know we had a vote, but the proponent of
689 the resolution said that we have to get this information to
690 do our constitutional duty. We have not done our
691 constitutional duty this entire year. Our job is to look
692 into Russian interference with the election of the President
693 of the United States, to look into obstruction of justice
694 and things that the Senate Judiciary Committee has done, and
695 we have done nothing. We have not looked into voter
696 suppression. We have not looked into illegal elections. We
697 have done nothing.

698 So, how can we deal with this because this is to do our
699 constitutional duty? And we are outraged about Andy McCabe

700 and something about buying a table? But it is okay if the
701 guy over there at the Energy Department, or the doctor, buys
702 tables? The doctor bought a table and nobody seems to care.
703 The fellow over at Energy buys a booth he can go into in
704 privacy and talk to people and we do not care. All of a
705 sudden it is a big deal.

706 This entire committee is out of order. We have been
707 out of order all year long. We have a duty as the Judiciary
708 Committee of the United States House of Representatives to
709 protect our Constitution and we have not done that.

710 Chairman Goodlatte. Are there any further amendments?
711 Is there any further discussion on the amendment to the
712 amendment in the nature of a substitute? The question
713 occurs.

714 Ms. Jackson Lee. Excuse me.

715 Chairman Goodlatte. For what purpose does the
716 gentlewoman from Texas seek recognition?

717 Ms. Jackson Lee. Mr. Chairman, let me acknowledge the
718 obvious, which this was a nongermane amendment and I hope --

719 Mr. Issa. Mr. Chairman? Can we have regular order?
720 You asked for what purpose she sought recognition.

721 Chairman Goodlatte. The gentlewoman is recognized for
722 5 minutes.

723 Ms. Jackson Lee. Thank you for clarifying that, Mr.
724 Issa. We have both served on this committee for a period of

725 time and your clarification is much appreciated. As we have
726 determined that this amendment has been made in order, I
727 hope the same courtesies will be given to the Democratic
728 members of this committee.

729 But as I read this resolve, it does not indicate what
730 action Congress intends to take if the resolved items are
731 not complied with. Some of them requested as of March 22nd,
732 2018, April 30, 2018, and so, I raise that point. What is
733 the resolution or what is the penalty that this
734 congressional committee and the body, as per Republicans,
735 intend to perpetrate on the Deputy Attorney General
736 Rosenstein?

737 And then, my good friend and colleague from Ohio
738 mentioned two individuals, the director and the deputy
739 director. And I want to make a point -- the committee is
740 not in order, Mr. Chairman. The committee is not in order.

741 Chairman Goodlatte. The gentlewoman is correct. The
742 committee will be in order.

743 Ms. Jackson Lee. And then, I want to take note of the
744 fact that my calculation suggests that there are 35,000 FBI
745 agents. And I would take umbrage and issue with any
746 reflection that two or three individuals, or maybe even 10,
747 reflect upon the good work of FBI agents across America. If
748 anyone has demeaned and undermined the Federal Bureau of
749 Investigation, it has been this administration in their

750 castigating and wrong language, intimidation, and firing of
751 those who may have or may not deserve such.

752 But to vote on a resolution, to be clear, it is
753 important to know, one, what is the penalty for what may be
754 perceived inaction? And then, we are the Judiciary
755 Committee, though I believe we do have broad jurisdiction --
756 two-thirds, I believe -- of much of what this Congress deals
757 with really has a Judiciary Committee impact. But we are
758 also asking on behalf of the Intelligence Committee, I
759 believe, for their documents as well.

760 So, Mr. Chairman, I yield to you for a moment. What is
761 the penalty? What is your interpretation of this resolution
762 if not responded to? Mr. Chairman?

763 Chairman Goodlatte. My understanding is this is a
764 resolution passed by the Congress. That the Congress passed
765 it calling upon the Department of Justice for compliance.

766 Ms. Jackson Lee. If I can continue the inquiry? If
767 they do not comply, what is the intent of this resolution?
768 It is not clear here what is the intent of this committee
769 and what is its purpose? What will it propose to deal with
770 their perception of noncompliance?

771 Chairman Goodlatte. Well, I think the document speaks
772 for itself. But I think the intent is to call to the
773 attention of the Department of Justice that they are not in
774 full compliance with what has been requested of them.

775 Ms. Jackson Lee. If I can continue the inquiry? Mr.
776 Jordan, what is your intent? This is your resolution. To
777 respond to, in your opinion, noncompliance?

778 Mr. Jordan. The intent is just as I stated. We want
779 the full House, to put the weight of the full House behind
780 this resolution saying, "Give us what we are entitled to
781 have." Plain and simple.

782 Ms. Jackson Lee. And if I may reclaim my time? If the
783 full House does so, and the Justice Department does not
784 respond, what is your further intent?

785 Mr. Jordan. We will cross that bridge when we get to
786 it. But you know the constitutional options the House of
787 Representatives has when someone in the executive branch is
788 telling us to take a hike and not giving us what we are
789 entitled to have to do our investigation, to get answers for
790 the American people. You know what those remedies are. And
791 if they do not comply, we will look at those remedies.

792 Ms. Jackson Lee. So, reclaiming my time then. As I
793 hold the Constitution in my hand, you are suggesting that we
794 would use constitutional procedures, which might in fact
795 include impeachment authority that you would seek to have?
796 Is that my understanding?

797 Mr. Jordan. Every option is on the table. I have been
798 clear about that in public statements I have made as have
799 other members. As has the sponsor of the resolution when it

800 was introduced in the House two weeks ago, Congressman
801 Meadows.

802 Ms. Jackson Lee. Well, let me just say in reclaiming
803 my time just to finish. Let me, as the resolution does not
804 make clear of what the ultimate intent is, and as the
805 Department of Justice has what I know they call regular
806 order and structure of what documents can be issued in
807 protecting the national security of the United States. And
808 in as much as there is a Mueller investigation going on for
809 a number of these issues, I am concerned about the fact of
810 utilizing the --

811 Chairman Goodlatte. The time of the gentlewoman has
812 expired.

813 Ms. Jackson Lee. May I finish, Mr. Chairman? The
814 impact of utilizing the constitutional actions against
815 Deputy Attorney General Rosenstein, which I predicted last
816 week that there was an attempt to remove him from his
817 position. With that, I yield back.

818 Chairman Goodlatte. For what purpose does the
819 gentleman from New York seek recognition?

820 Mr. Nadler. Move to strike the last word.

821 Chairman Goodlatte. The gentleman is recognized for 5
822 minutes.

823 Mr. Nadler. Thank you, Mr. Chairman. I think we
824 should be honest here and put our cards on the table. What

825 is really going on here is a bad-faith effort by members of
826 the majority -- specifically Mr. Nunes, apparently others --
827 to interfere with an ongoing criminal investigation being
828 conducted by the FBI and the Department of Justice. The
829 President of the United States is under suspicion or
830 investigation, whichever way you want to put it, for
831 possible criminal conspiracy with the government of Russia
832 to rig an election. And that investigation is ongoing.

833 I am not saying he is guilty or not. We will see. But
834 there is an ongoing investigation of the possible criminal
835 participation by the person who is now President in a
836 criminal conspiracy with the Russian Government to affect
837 the American election. We have seen that Mr. Nunes, at
838 least, as a direct conduit of information from that
839 investigation when he gets it to the White House.

840 This, and some of these subpoenas, are quite clearly an
841 attempt to interfere with that investigation. And as Mr.
842 Giuliani said, the President's attorney, to get information
843 so that the White House can know about what is going on, the
844 White House being the subject of the investigation. That is
845 quite wrong. We should let the investigation proceed.

846 I will note that despite the President's raging against
847 13 angry Democrats, Mr. Mueller's a registered Republican,
848 Mr. Rosenstein is a registered Republican, Mr. Wray is a
849 registered Republican, et cetera.

850 We should let the investigation proceed and see what
851 their report is eventually. Instead, this is an attempt to
852 interfere with an ongoing investigation. It is not right.
853 It may be constitutional, I am not sure. But it is not
854 right for Congress to seek information with respect to an
855 ongoing criminal investigation, especially when the clear
856 and obvious intent is to interfere with that investigation.
857 That is what we are talking about here.

858 The Justice Department has been as forthcoming as they
859 could possibly be in giving as much information without
860 compromising the investigation. And obviously, members of
861 the majority want the investigation compromised. Members of
862 the majority want that investigation interfered with and
863 this is part of the attempt to do so. We should reject it.
864 And we should let the investigation proceed.

865 The constitutional underpinnings of the Republic are at
866 stake. And we will not have confidence unless the
867 investigation proceeds, we get a report from the special
868 counsel, and obviously also there is an ongoing attempt by
869 the White House and by some members of the majority to
870 undermine the special counsel, to undermine that
871 investigation, to poison the jury pool, so to speak, the
872 jury pool being the public in this case.

873 And I would point out one other thing. The President
874 and various propaganda on the Republican side of the aisle

875 keep saying that this is a witch hunt, this is a terrible
876 investigation, it is dishonest. Actually, we do not know.
877 All we know there have been no leaks.

878 All we know about the investigation are from court
879 filings. We know that 20 people have been indicted. We
880 know that a few -- I forget the number -- have pleaded
881 guilty. We know what the indictments contain, we know what
882 the guilty pleas contain, and we know various court filings.

883 Other than that, we do not know whether the
884 investigation is being done well, badly, or in any other
885 way. All we know is that the investigators have behaved
886 properly in not leaking, unlike a lot of other people. They
887 have behaved properly in only and not replying to the
888 accusations of witch hunts, et cetera, from the majority and
889 from the White House. All they have done is do their
890 investigation and do their court filings.

891 We will know in due course what they come up with. We
892 can then, when we see their findings, judge the validity or
893 invalidity of their work. And everything in between right
894 now, including this resolution, is an attempt to sabotage
895 the proper functioning of the Department of Justice of the
896 United States. And that is why it ought to be rejected.

897 But I do not expect it to be rejected. We just saw the
898 farce about the overruling or the ruling of the chair. It
899 will not be rejected. But it is purely for political

900 reasons because the White House and members of the majority
901 -- I do not say the whole majority -- but members of the
902 majority do not have confidence that a fair investigation
903 will not result in very damning conclusions. So, they are
904 doing what they can to sabotage the investigation and to
905 discredit whatever it comes up with no matter the quality of
906 the investigation.

907 That is what this is part of. It is disgraceful. It
908 is a misuse of congressional power. It is an attack on the
909 integrity of our elections. If I did not know better, I
910 would say it is in collusion with foreign governments
911 attempting to undermine our elections. I cannot believe
912 that is a motive. But that is the effect. I yield back.

913 Chairman Goodlatte. For what purpose does the
914 gentleman from Texas seek recognition?

915 Mr. Gohmert. Move to strike the last word.

916 Chairman Goodlatte. The gentleman is recognized for 5
917 minutes.

918 Mr. Gohmert. Thank you, Mr. Speaker. Our friend from
919 New York is right, but not in the way that he thinks. But
920 the Constitution is really at stake here. We had a special
921 counsel that was appointed by Rod Rosenstein. Mr.
922 Rosenstein was involved as a U.S. attorney investigating
923 Russia's illegal attempts to obtain United States uranium.
924 They had someone involved who was providing information as a

925 witness. If all of that information had come out, it is
926 difficult to imagine that the Committee on Foreign
927 Investment in the United States, or CFIUS, would have
928 approved the sale of American uranium that would end up in
929 the hands of Russia.

930 But the stockholders who benefited from that
931 transaction ended up donating \$145 million to the Clinton
932 Foundation. Mr. Rosenstein was in that investigation up to
933 his ears, so was Mr. Mueller, as the FBI director. He also
934 had a guy named Weissman that was involved in that
935 investigation. They took the unusual step of having their
936 informant, they threatened him and forced him to sign a
937 nondisclosure agreement. And that is really amazing. All I
938 can think of that would have happened had he disclosed
939 information was it would have been the sale that ended up
940 with U.S. uranium coming into Russia's hands. It should
941 have been voted down by CFIUS.

942 There is great involvement. We also know Mr. Mueller
943 as the so-called special counsel has been described as
944 joined at the hip with Mr. Comey. Comey is described as
945 seeing him as a mentor. One article, I believe, said that
946 Comey could be comforted that if the world was coming to an
947 end, Mr. Mueller would be right there with him, side-by-
948 side, helping him. And so, the last person that should have
949 been a special counsel involved in either investigating

950 Russia or anything in which Mr. Comey was a key witness,
951 which would be an obstruction of justice question. Mueller
952 was disqualified.

953 If he had an ounce of proper ethics, he would have
954 turned down that. Not only because there is the potential
955 appearance of impropriety, but there is actual impropriety.
956 The Constitution of the United States is at stake here. You
957 have a rogue Justice Department. As my friend, Mr. Jordan,
958 has pointed out, never seen in my lifetime top six people in
959 Justice have had to step down or be fired. And by the way,
960 the judge -- my understanding is he did not recuse himself.
961 He was recused by someone else. We have not been able to
962 find out why.

963 And we also have Mr. Rosenstein that, I believe, he
964 signed or was involved in getting the third extension, which
965 would be the fourth warrant to surveil from the FISA court
966 that is supposed to be looking at foreign intelligence
967 activity. And yet they used that improperly in order to go
968 after local folks.

969 And when my friend from New York said they are not
970 leaking? To borrow from Wilford Brimley, last time there
971 was a leak like this, Noah built himself an ark. There has
972 been leak, after leak, and that should have been one thing
973 that the special counsel really dug into. His camp has
974 leaked repeatedly, including the investigation about Mike

975 Flynn.

976 It would appear that one of the biggest things that
977 needs to be investigated, that there appears to be a coverup
978 revolving around, is that we keep finding out that, gee, the
979 Intelligence/Justice Department had conversations. And then
980 they have to back up and, whoops, that was before we had
981 authority. We have got to come up with another explanation
982 as to how we got this. I mean, this stinks to high heaven.
983 It involves the Constitution. And we are the folks that
984 stand between the end of the Constitution and justice
985 finally being served. I yield back.

986 Mr. Cicilline. Mr. Chairman?

987 Chairman Goodlatte. For what purpose does the
988 gentleman from Rhode Island seek recognition?

989 Mr. Cicilline. I move to strike the last word.

990 Chairman Goodlatte. The gentleman is recognized for 5
991 minutes.

992 Mr. Cicilline. Thank you, Mr. Chairman. I agree with
993 the gentleman who just spoke, Mr. Gohmert. This does stink
994 to high heaven. But for a very different reason. I want to
995 associate myself with the remarks of the ranking member.

996 This is a very sad day for the Judiciary Committee.
997 What we are seeing today is an ongoing and coordinated
998 effort to interfere with an ongoing criminal investigation,
999 to undermine the rule of law, and to abandon our

1000 constitutional responsibility to provide meaningful
1001 oversight to the Department of Justice.

1002 We have seen this President and this administration and
1003 his allies attempt, almost from the beginning, to interfere,
1004 impede, obstruct, and undermine a very serious
1005 investigation. And sadly, the Judiciary Committee now
1006 officially is joining that effort.

1007 Mr. Nadler is quite right. Let's call it what it is.
1008 This is an effort to defend this administration and this
1009 President, even against very serious allegations of
1010 conspiring with a foreign adversary of the United States to
1011 steal the American presidential election. And we are also
1012 setting the pretext for something even worse, the
1013 termination of the people leading this this investigation.
1014 Because this is not only about stopping the investigation
1015 and undermining it but getting rid of the people who are
1016 doing the work. Mr. Mueller, Mr. Rosenstein, Mr. Wray; all
1017 Republicans; all people who won wide praise when they were
1018 appointed.

1019 What has changed with Mr. Mueller? They do not like
1020 the results. They do not like what he is finding. Twenty-
1021 three indictments, five guilty pleas, all people associated
1022 with the President's inner circle; his campaign manager,
1023 Paul Manafort; his deputy campaign manager, Rick Gates; his
1024 campaign aide, George Papadopoulos; his former national

1025 security advisor, Michael Flynn; and now his private lawyer,
1026 Michael Cohen, is under investigation by Federal
1027 authorities.

1028 And so, this man went from universally praised -- Mr.
1029 Mueller. A man of tremendous integrity. Respected by
1030 everyone. Praised by Republicans all day when the
1031 announcement was made. What has changed? He is doing his
1032 job and they do not like the results. And now, of course,
1033 the effort continues to undermine his investigation. To
1034 create a pretext for getting rid of people leading this
1035 investigation.

1036 This is a very serious moment for this committee. The
1037 American people are watching and history is going to judge
1038 those who are working together to stop this. Let's
1039 remember, there is overwhelming evidence, the unanimous
1040 consensus of our intelligence agencies, that a foreign
1041 adversary of the United States, Russia, interfered with the
1042 American presidential election with the specific purpose of
1043 helping Donald Trump get elected and undermining the
1044 candidacy of Hillary Clinton. They interfered in a very
1045 sophisticated way that has been detailed by our intelligence
1046 agencies.

1047 And there is substantial evidence already in the public
1048 domain of collusion between the Trump campaign and our
1049 Russian adversaries. Secret meetings with Russians which

1050 people did not disclose, and then lied about. A meeting at
1051 Trump Tower where Russians offered dirt on Hillary Clinton
1052 that was first denied, and then it was lied about it and
1053 said it was about adoption. A statement was issued from the
1054 President with his assistant saying it was about adoption --
1055 all untrue. Again, that is evidence in the public domain.

1056 Meeting at Trump Tower that I just described. The
1057 President's unexplained admiration for Vladimir Putin.
1058 Criticizing everyone, our most strongest allies in the
1059 world, but cannot manage to say one negative thing about his
1060 friend at the Kremlin. Called to congratulate him when he
1061 won a false election. And most recently took his advice
1062 unbeknownst to his Secretary of Defense, the Secretary of
1063 State, that the U.S. would stop exercising with the South
1064 Koreans, an idea that he got from Vladimir Putin. He told
1065 him he should do that.

1066 This is a serious question about the relationship
1067 between the Trump campaign, and this President, and Russian
1068 interference in our presidential elections. I would hope --
1069 whether you are a Republican, or a Democrat, or an
1070 Independent, or not affiliated -- that you would understand
1071 the serious responsibility of getting to the bottom of this,
1072 of allowing Mr. Mueller to continue this investigation, to
1073 stop trying to interfere and politicize it. Stop trying to
1074 undermine it in a way that carries favor with the President

1075 or wins you some political points back home. But do what is
1076 right for the country. And not continuing this ongoing
1077 campaign to undermine the rule of law, to undermine this
1078 investigation, to interrupt the professionals who are doing
1079 it, and to give our Russian adversaries a great victory.

1080 We are a better country than that. This Judiciary
1081 Committee has a responsibility here. It is bad enough we
1082 have not done our job. But now we are actively going to
1083 help undermine this effort? This is a very, very dark day
1084 for this committee. With that, I yield back with tremendous
1085 sadness.

1086 Mr. Gaetz. Mr. Chairman?

1087 Chairman Goodlatte. For what purpose does the
1088 gentleman from Florida seek recognition? Mr. Gaetz?

1089 Mr. Gaetz. Move to strike the last word.

1090 Chairman Goodlatte. The gentleman is recognized for 5
1091 minutes.

1092 Mr. Gaetz. Thank you, Mr. Chairman. And at the
1093 outside of my remarks, I would want to State that I have
1094 great respect and admiration for the gentleman from Rhode
1095 Island and the ranking member, and I would never seek to
1096 impugn their motives. I believe that they sincerely believe
1097 the arguments that they are making, though they are not
1098 particle particularly winning them with the American people.

1099 My friend from Rhode Island said that Donald Trump

1100 stole the election. Well, the American people continue to
1101 see --

1102 Mr. Cicilline. I did not say Donald Trump stole the
1103 election. What I said was --

1104 Mr. Gaetz. I believe I control the --

1105 Mr. Cicilline. -- there is ample evidence of --

1106 Chairman Goodlatte. Return to order.

1107 Mr. Gaetz. I will happily yield to the gentleman from
1108 Rhode Island --

1109 Mr. Cicilline. -- thank you.

1110 Mr. Gaetz. -- to clarify his comments.

1111 Mr. Cicilline. I did not say Donald Trump stole the
1112 election. I said it is very clear from our Intelligence
1113 Committee that the Russians interfered with the American
1114 presidential election with the specific purpose of assisting
1115 Donald Trump and undermining Hillary Clinton in a very
1116 sophisticated way. And we should investigate that and --

1117 Mr. Gaetz. Reclaiming my time, reclaiming my time. Is
1118 the gentleman insisting that the words "stole an election"
1119 did not appear directly before and after one another in his
1120 remarks?

1121 Mr. Cicilline. I do not remember precisely, but my
1122 point is --

1123 Mr. Gaetz. Reclaiming my time.

1124 Mr. Cicilline. -- the Intelligence Committee made that

1125 point --

1126 Mr. Gaetz. Reclaiming my time.

1127 Mr. Cicilline. -- and we ought to investigate it.

1128 Chairman Goodlatte. The gentleman from Florida has
1129 control of the time.

1130 Mr. Gaetz. I appreciate that, Mr. Chairman. The
1131 gentleman from Rhode Island did say stole an election. And
1132 those are very provocative words. No election was stolen.
1133 It was won by Donald Trump, and it was lost by Hillary
1134 Clinton.

1135 And just as Hillary Clinton and the Democrats lost the
1136 election, you are losing this argument. That is not my
1137 position. That is reflected in all of the public polling.
1138 CBS News just reported that over half of the country
1139 disapproves of the way that Robert Mueller is handling the
1140 investigation. Fifty-four percent of the American people
1141 believe that the Mueller investigation is politically
1142 motivated.

1143 And so, if it was really all the problem with the
1144 Republicans interfering and undermining, why is it that my
1145 Democratic colleagues cannot seem to convince the American
1146 people of that point? Perhaps one of the reasons the
1147 Democrats are losing this argument is that even the
1148 inspector general, a Democrat, said in response to Mr.
1149 Jordan's questions during open hearing that he has never

1150 seen anything like this, where you have the senior
1151 leadership of essentially the entire FBI that has to move
1152 out, be fired, demoted, reassigned, referred for criminal
1153 prosecution as a consequence of their conduct that was
1154 exposed and highlighted by the inspector general and by
1155 members of this committee who have been outspoken on the
1156 issue.

1157 I would also bring our attention to the comments of the
1158 Deputy Attorney General, Mr. Rosenstein, who is in many ways
1159 the subject of the underlying legislation, which I am proud
1160 to join Mr. Meadows, and Mr. Jordan, and General Perry in
1161 sponsoring, and also the amendment that Mr. Jordan has
1162 offered. Mr. Rosenstein walks Bob Mueller into the Oval
1163 Office and recommends Mueller to be the replacement for Jim
1164 Comey. During the course of that interview, it becomes very
1165 clear that Mr. Mueller will not be getting his own job back.
1166 Not 24 hours passed from that meeting to when Rod Rosenstein
1167 then appoints Mueller to investigate the President.

1168 I do not know a single American who believes that it is
1169 fair to have someone investigate you if you just turned them
1170 down for their own job back the day before. It would seem
1171 with all the talented people we have in the Department of
1172 Justice and the legal community in this country anyone else
1173 could have been picked. But for some reason, Rosenstein
1174 chose Mueller. And now, as we are being appropriately

1175 assertive in our oversight function, we continue to see Rod
1176 Rosenstein frustrate that oversight.

1177 On May 1st, Rod Rosenstein actually said, "There is
1178 actually not a constitutional basis for oversight." That
1179 should be appalling to Republicans and Democrats. If we
1180 believe in this institution, this committee, to be able to
1181 go and conduct oversight, to determine if people are
1182 following the law or not, we have to be able to get
1183 documents.

1184 And when we have the Deputy Attorney General who is the
1185 custodian of those very documents saying he does not even
1186 believe in our basis for oversight? That ought to unite us
1187 as a committee to stand up for the Article I powers that are
1188 vested in us to appropriate funds and then ensure that those
1189 funds are being used in accordance with the law.

1190 The amendment here brings us from the point to where
1191 several of us on the Judiciary Committee have been
1192 forcefully making the argument for oversight and for
1193 documents to bring that question to the full House. I
1194 believe that all members of Congress should have the choice.
1195 Are we going to believe that at the end of the day it is
1196 unelected people, like Rod Rosenstein, who get to decide
1197 whether their own conduct is proper or not proper? Or
1198 should it be the elected representatives of the people in
1199 the Congress, in the whole Congress, that will stand forward

1200 and demand documents?

1201 Because otherwise, oversight will be frustrated, not
1202 only for Republicans in control, but ultimately one day, I
1203 presume, Democrats will control the Congress. And I would
1204 stand with you to ensure that you have the ability to
1205 exercise your oversight. And so, for the sake of the
1206 institution, I support the underlying legislation and the
1207 amendment, and I yield back.

1208 Chairman Goodlatte. For what purpose does the
1209 gentlewoman from California seek recognition?

1210 Ms. Lofgren. I move to strike the last word.

1211 Chairman Goodlatte. The gentlewoman is recognized for
1212 5 minutes.

1213 Ms. Lofgren. I have been a member of the House
1214 Judiciary Committee for nearly 24 years. And prior to that,
1215 I worked for a member of the committee for almost 9 years.
1216 So, I have had a chance to observe the Judiciary Committee
1217 over the decades. And I can say I have never seen an effort
1218 such as this to interfere with a law enforcement
1219 investigation.

1220 And I think it is something that is unwise for this
1221 committee. I will not go into speculation as to
1222 motivations. But, certainly, the outcome would disturb the
1223 balance of power and the checks and balances that are so
1224 carefully crafted in the Constitution of the United States.

1225 Now, as members know, the applications to the FISA
1226 court were made available to a few members of this
1227 committee, along with the supporting documents. I was one
1228 of the members, along with Mr. Nadler, on our side of the
1229 aisle given the opportunity to read through those
1230 applications. And they were voluminous; in fact, it took me
1231 all day. We started a little before 10:00 and I ended up
1232 canceling all my appointments that day because it took me
1233 that long, to the end of the day, to read all of the
1234 applications and the supporting documents.

1235 And I can say that the recitation in this proposed
1236 resolution before us on page four are incorrect. I will
1237 also say that in the documentation there are pieces of
1238 information of sensitive intelligence value that, if
1239 revealed, would likely result in the death of people who
1240 provided information to the United States government. So, I
1241 think this should give us tremendous pause.

1242 I do think, having observed and been a participant in
1243 the committee, that we should step back when we are doing
1244 something completely unprecedented, that the Judiciary
1245 Committee has never done before. And the implications this
1246 has for the rule of law in our country and for the orderly
1247 administration of the law. I think those of us who have
1248 been involved, those members of the committee who have been
1249 involved in law enforcement or in prosecutions, realize very

1250 well that if you provide information publicly before an
1251 investigation is completed it can have the effect of
1252 undercutting that implication.

1253 Now, we do not know. I certainly do not know what Mr.
1254 Mueller is investigating. There have been no leaks so far
1255 as I can tell. I have not met with Mr. Mueller. He has not
1256 said anything. And that is the way it is supposed to be.
1257 He will do his investigation.

1258 At the end of that investigation, either he will have
1259 information, or he will not, and we should wait and see what
1260 he comes up with. If it is something serious, we will deal
1261 with it. If he has not found serious problems, I think the
1262 country will be delighted. I know that I would be happy if
1263 serious problems were not uncovered, because that would mean
1264 that there had been misbehavior of a sort that would be very
1265 serious.

1266 But the point is, we have to just wait until he
1267 finishes he finishes his investigation. I certainly know
1268 Mr. Meadows, and although we do not agree on many items, I
1269 just think the proposal before us is so extravagantly wrong
1270 in terms of what this committee should be doing that I would
1271 urge that the matter be tabled, and I would make a motion
1272 that we table the resolution before us. Mr. Chairman, I
1273 have made a motion to table.

1274 Chairman Goodlatte. A motion has been made to table.

1275 All those in favor, respond by saying aye.
1276 Those opposed, no.
1277 In the opinion of the chair, the noes have it. The
1278 motion --
1279 Ms. Lofgren. I would like a recorded vote, Mr.
1280 Chairman.
1281 Chairman Goodlatte. A recorded vote is requested, and
1282 the clerk will call the roll.
1283 Ms. Adcock. Mr. Goodlatte?
1284 Chairman Goodlatte. No.
1285 Ms. Adcock. Mr. Goodlatte votes no.
1286 Mr. Sensenbrenner?
1287 [No response.]
1288 Mr. Smith?
1289 [No response.]
1290 Mr. Chabot?
1291 Mr. Chabot. No.
1292 Ms. Adcock. Mr. Chabot votes no.
1293 Mr. Issa?
1294 [No response.]
1295 Mr. King?
1296 Mr. King. No.
1297 Ms. Adcock. Mr. King votes no.
1298 Mr. Gohmert?
1299 [No response.]

1300 Mr. Jordan?

1301 Mr. Jordan. No.

1302 Ms. Adcock. Mr. Jordan votes no.

1303 Mr. Poe?

1304 [No response.]

1305 Mr. Marino?

1306 Mr. Marino. No.

1307 Ms. Adcock. Mr. Marino votes no.

1308 Mr. Gowdy?

1309 [No response.]

1310 Mr. Labrador?

1311 Mr. Labrador. No.

1312 Ms. Adcock. Mr. Labrador votes no.

1313 Mr. Collins?

1314 Mr. Collins. No.

1315 Ms. Adcock. Mr. Collins votes no.

1316 Mr. DeSantis?

1317 Mr. DeSantis. No.

1318 Ms. Adcock. Mr. DeSantis votes no.

1319 Mr. Buck?

1320 Mr. Buck. No.

1321 Ms. Adcock. Mr. Buck votes no.

1322 Mr. Ratcliffe?

1323 Mr. Ratcliffe. No.

1324 Ms. Adcock. Mr. Ratcliffe votes no.

1325 Mrs. Roby?
1326 [No response]
1327 Mr. Gaetz?
1328 Mr. Gaetz. No.
1329 Ms. Adcock. Mr. Gaetz votes no.
1330 Mr. Johnson of Louisiana?
1331 Mr. Johnson of Louisiana. No.
1332 Ms. Adcock. Mr. Johnson votes no.
1333 Mr. Biggs?
1334 Mr. Biggs. No.
1335 Ms. Adcock. Mr. Biggs votes no.
1336 Mr. Rutherford?
1337 Mr. Rutherford. No.
1338 Ms. Adcock. Mr. Rutherford votes No.
1339 Mrs. Handel?
1340 Mrs. Handel. No.
1341 Ms. Adcock. Mrs. Handel votes no.
1342 Mr. Rothfus?
1343 [No response.]
1344 Mr. Nadler?
1345 Mr. Nadler. Aye.
1346 Ms. Adcock. Mr. Nadler votes aye.
1347 Ms. Lofgren?
1348 Ms. Lofgren. Aye.
1349 Ms. Adcock. Ms. Lofgren votes aye.

1350 Ms. Jackson Lee?

1351 Ms. Jackson Lee. Aye.

1352 Ms. Adcock. Ms. Jackson Lee votes aye.

1353 Mr. Cohen?

1354 Mr. Cohen. Aye.

1355 Ms. Adcock. Mr. Cohen votes aye.

1356 Mr. Johnson of Georgia?

1357 Mr. Johnson of Georgia. Aye.

1358 Ms. Adcock. Mr. Johnson votes aye.

1359 Mr. Deutch?

1360 [No response.]

1361 Mr. Gutierrez?

1362 [No response.]

1363 Ms. Bass?

1364 [No response.]

1365 Mr. Richmond?

1366 [No response.]

1367 Mr. Jeffries?

1368 Mr. Jeffries. Aye.

1369 Ms. Adcock. Mr. Jeffries votes aye.

1370 Mr. Cicilline?

1371 Mr. Cicilline. Aye.

1372 Ms. Adcock. Mr. Cicilline votes aye.

1373 Mr. Swalwell?

1374 [No response.]

1375 Mr. Lieu?

1376 Mr. Lieu. Aye.

1377 Ms. Adcock. Mr. Lieu votes aye.

1378 Mr. Raskin?

1379 Mr. Raskin. Aye.

1380 Ms. Adcock. Mr. Raskin votes aye.

1381 Ms. Jayapal?

1382 Ms. Jayapal. Aye.

1383 Ms. Adcock. Ms. Jayapal votes aye.

1384 Mr. Schneider?

1385 [No response.]

1386 Ms. Demings?

1387 Ms. Demings. Aye.

1388 Ms. Adcock. Ms. Demings votes aye.

1389 Chairman Goodlatte. The gentleman from Texas, Mr.

1390 Smith?

1391 Mr. Smith. No.

1392 Ms. Adcock. Mr. Smith votes no.

1393 Chairman Goodlatte. The gentleman from Texas, Mr.

1394 Gohmert?

1395 Mr. Gohmert. No.

1396 Ms. Adcock. Mr. Gohmert votes no.

1397 Chairman Goodlatte. The gentleman from California, Mr.

1398 Issa?

1399 Mr. Issa. No.

1400 Ms. Adcock. Mr. Issa votes no.

1401 Chairman Goodlatte. Has every member voted who wishes
1402 to vote?

1403 The clerk will report.

1404 Ms. Adcock. Mr. Chairman, 11 members voted aye; 18
1405 members voted no.

1406 Ms. Jackson Lee. Mr. Chairman, how am I recorded?

1407 Chairman Goodlatte. The clerk will suspend. The
1408 gentleman from Illinois?

1409 Mr. Schneider. Aye.

1410 Ms. Adcock. Mr. Schneider votes aye.

1411 Chairman Goodlatte. Now the clerk will report.

1412 Ms. Adcock. Mr. Chairman, 12 members voted aye; 18
1413 members voted no.

1414 Chairman Goodlatte. The motion to table is not agreed
1415 to. For what purpose does the gentleman from Colorado seek
1416 recognition?

1417 Mr. Buck. I move to strike the last word.

1418 Chairman Goodlatte. The gentleman is recognized for 5
1419 minutes.

1420 Mr. Buck. I would like to inquire of my friend from
1421 Ohio, the sponsor of this amendment, Mr. Jordan, did the
1422 Department of Justice Inspector General obstruct an ongoing
1423 criminal investigation --

1424 Mr. Jordan. No.

1425 Mr. Buck. -- in your view? And did he impede an
1426 ongoing criminal investigation?

1427 Mr. Jordan. No.

1428 Mr. Buck. And is an intent of your resolution to
1429 inquire into the same issues raised by the Department, or at
1430 least some of the same issues raised by the Department of
1431 Justice Inspector General?

1432 Mr. Jordan. Some, yes.

1433 Mr. Buck. And, Mr. Jordan, are you familiar with the
1434 Iran-Contra investigation occurred in 1986 and 1987?

1435 Mr. Jordan. Vaguely, because I am younger than you.

1436 Mr. Buck. And was the Democrat party in the majority
1437 at that time?

1438 Mr. Jordan. Yes.

1439 Mr. Buck. In both the House and the Senate?

1440 Mr. Jordan. Yes.

1441 Mr. Buck. Actually, I think it was just the House,
1442 actually. But at that point in time, did Congress inquire
1443 and hold a special investigation of a matter being
1444 investigated by a special counsel?

1445 Mr. Jordan. That is my understanding.

1446 Mr. Buck. Okay. And I yield the remainder of my time
1447 to Mr. Jordan.

1448 Mr. Jordan. I appreciate the gentleman yielding. If I
1449 could, Mr. Chairman, just talk about what is appropriate.

1450 Is it appropriate for the Justice Department not to comply
1451 with subpoenas? Is it appropriate to take a dossier to a
1452 secret court to get a secret warrant and not tell the court
1453 to two important facts like who paid for the document and
1454 like the fact that the guy who wrote it, Christopher Steele,
1455 had been fired by the FBI?

1456 Is it appropriate for the lead investigator, Peter
1457 Struck, the lead investigator on the Clinton investigation
1458 and the guy who launched the Russia investigation -- is it
1459 appropriate for a guy who said, "Trump is awful; Trump
1460 should lose 100 million to zero" -- is it appropriate for
1461 Peter Struck 8 days after he launches the Trump Russia
1462 investigation, to say in a text message to a colleague, "We
1463 will stop Trump?" Is that appropriate?

1464 And how about this one? This one always gets me. Is
1465 it appropriate for Rod Rosenstein to oversee an obstruction
1466 of justice investigation into the firing of James Comey when
1467 Rod Rosenstein wrote the memo saying, "You should fire James
1468 Comey?" So, maybe we just want the documents, for goodness
1469 sake. Maybe, Mr. Rosenstein, just give this what we are
1470 asking for.

1471 And Mr. Gaetz is exactly right. Last time I checked,
1472 every single one of us put our name on a ballot, were
1473 elected in a district of approximately three-quarters of a
1474 million people, but Mr. Rosenstein has never had his name on

1475 the ballot. Give us what we are entitled to do to get
1476 answers for those 750,000 people I get to represent in the
1477 Fourth District of Ohio. That would be appropriate, and
1478 that is why we should take this action and the full House to
1479 go on record supporting this resolution.

1480 Chairman Goodlatte. For what purpose does the
1481 gentleman from Tennessee seek recognition?

1482 Mr. Cohen. I move to strike the last word.

1483 Chairman Goodlatte. The gentleman is recognized for 5
1484 minutes.

1485 Mr. Cohen. I would like to yield to Mr. Nadler.

1486 Mr. Nadler. I thank the gentleman for yielding. Let
1487 me comment on some comments we have just heard. Yes, there
1488 was an investigation during the late 1980s of Iran-Contra by
1489 one or both houses; I do not recall. I do not recall the
1490 exact history, but I would assume that there was a
1491 contemporaneous special prosecutor investigation. There is
1492 nothing improper about the House looking into the same
1493 matters, and there is nothing improper about asking the
1494 Justice Department for various materials.

1495 What is improper is asking the Justice Department for
1496 documents relating to an ongoing criminal investigation that
1497 they cannot provide because it would interfere with that
1498 ongoing criminal investigation. In particular, for example,
1499 the request has been made by members of the majority for the

1500 specific charging documents of the Mueller investigation,
1501 the specific lines of inquiry, which I am sure if they were
1502 gotten, they would be leaked to Fox News or to the White
1503 House immediately.

1504 It is improper for the Justice Department to give that
1505 kind of information to anyone, including the House, in an
1506 ongoing criminal investigation. It is improper for the
1507 House to try to interfere in an ongoing criminal
1508 investigation. Get information about it, fine, but certain
1509 information it is improper, because that would interfere
1510 with the investigation, especially when we know that there
1511 is a proclivity on the part of certain members of the House
1512 to take that information and give it either to the subject
1513 of the investigation, the White House, or to the news media,
1514 or to someone else.

1515 So, yes, the Department of Justice is trying to comply
1516 with subpoenas of the House insofar as possible without
1517 violating the separation of power, without compromising an
1518 ongoing investigation, which is the clear intent of members
1519 of the House who wanted to sabotage this investigation. And
1520 the Department of Justice is giving many documents and is
1521 complying insofar as possible but should not comply with
1522 requests for documents that would interfere or compromise a
1523 criminal investigation. And that is what is at stake here.
1524 It is an attempt to compromise an investigation, to

1525 interfere with that.

1526 Now, statements have been made that there is something
1527 wrong with the investigation, that the people involved in it
1528 are biased. The fact of the matter is, I repeat, we do not
1529 know about the investigation other than the indictments it
1530 is issued, the guilty pleas it has obtained, and various
1531 court filings. When it issues a report, then we will know,
1532 and then we can say it has been unfair. As of now, we do
1533 not know.

1534 And, yes, many people in the American public are
1535 convinced at this point or have been convinced that the
1536 investigation, that Mueller is unfair. Why? Because the
1537 White House and members of this House are carrying out a
1538 campaign of character assassination against Mr. Mueller and
1539 various other people, and Mr. Mueller and his investigation
1540 are not answering those charges.

1541 They are not saying, "We did not do this." They are
1542 not saying, "We are being fair." They are being
1543 professional. They are not leaking; they are not answering
1544 the charges. No one is answering the specific charges from
1545 the White House or from members of the majority because the
1546 only people who know about that are quite properly obeying
1547 their oaths of office and not leaking and not commenting.

1548 So, yes, many people in the public, their opinions are
1549 being affected by a one-sided propaganda campaign, one-sided

1550 because the other side, the people who are being slandered,
1551 the members of the Mueller investigation, are not answering.
1552 They are not saying anything. They are just doing their
1553 work. They will come out with a report; we will all judge
1554 the report at that point. But right now, the proper thing
1555 to say is Congress should not be trying to sabotage an
1556 ongoing criminal investigation, especially in matters of the
1557 highest moment, which is what some of these document
1558 requests --

1559 Mr. Cohen. Mr. Nadler?

1560 Mr. Nadler. -- attempted sabotage. I yield back.

1561 Mr. Cohen. I reclaim my time.

1562 Mr. Nadler. Oh, I am sorry. I yield back to the
1563 gentleman.

1564 Mr. Cohen. Yeah. Mr. Chairman, I have an amendment at
1565 the desk, and I would like to call it up. Mr. Chair, there
1566 is an amendment at the desk I would like to have called up.

1567 Chairman Goodlatte. We have an amendment we are
1568 addressing right now. For what purpose does the gentleman
1569 from Florida seek recognition?

1570 Mr. Gaetz. Mr. Chairman, I move the previous question
1571 on Mr. Jordan's amendment --

1572 Mr. Cohen. It is still my time.

1573 Chairman Goodlatte. It was an amendment to an
1574 amendment to an amendment. Wait a minute. All right, the

1575 clerk will report the amendment offered by the gentleman
1576 from Tennessee.

1577 Ms. Adcock. Amendment to the substitute amendment in
1578 the nature of a substitute to H. Res. 938, offered by Mr.
1579 Cohen. Strike everything after line 4 and insert the
1580 following --

1581 [The amendment of Mr. Cohen follows:]

1582 ***** COMMITTEE INSERT *****

1583 Chairman Goodlatte. Without objection, the amendment
1584 is considered as read, and the gentleman is recognized for 5
1585 minutes on his amendment.

1586 Mr. Cohen. Thank you, Mr. Chair. Mr. Jordan said we
1587 have to do our constitutional duty. Mr. Chairman, my
1588 amendment would add to the resolution of inquiry a request
1589 for documents relating to any foreign investment by foreign
1590 governments into any entity owned by President Trump, as
1591 well as any documents relating to any attempt by Felix Sater
1592 or Michael Cohen or the assistant to the President, Ms.
1593 Ivanka Trump, to develop or increase the Trump Organization
1594 holdings in Russia during the 2016 presidential campaign.

1595 Last year, our intelligence agency told us with high
1596 confidence that would be probable cause Russian President
1597 Vladimir Putin ordered an influence campaign aimed at the
1598 U.S. presidential election. Russia's goals were to
1599 undermine faith in the U.S. democratic process, denigrate
1600 Secretary Clinton, and harm her electability and potential
1601 presidency. Our constitutional duty would be to listen to
1602 our intelligence officials who, under high confidence, told
1603 us this and find that is probable cause. They further
1604 assessed that Putin and the Russian Government had a "clear
1605 preference" for Donald Trump.

1606 This committee has a sacred obligation to find out what
1607 happened and to protect our democracy from any further

1608 foreign attacks. If Russia used financial inducements to
1609 influence the election or the activities of President Trump,
1610 we need to know. The danger of foreign influence was one of
1611 our Nation's Founders -- that they knew all too well. That
1612 is why our Constitution expressly forbids Presidents from
1613 accepting any present, emolument, office, title of any kind
1614 whatever from any king, prince, or foreign state. That is
1615 the emoluments clause in the United States Constitution,
1616 Article I, section 9, clause 8.

1617 President Trump has not sought nor has Congress granted
1618 him consent to receive emoluments from Russia or any other
1619 foreign state, yet news reports abound about patronage of
1620 Trump-owned businesses by foreign governments. For example,
1621 last year the Washington Post reported the kingdom of Saudi
1622 Arabia paid the Trump International Hotel in Washington,
1623 D.C. \$270,000 in hotel charges as part of an effort to bring
1624 veterans groups to Washington, D.C. to lobby Congress
1625 against a law allowing victims of the September 11, 2001
1626 attacks to sue Saudi Arabia.

1627 Also last year, the embassy of Kuwait reportedly
1628 canceled a save-the-date reservation for an event at the
1629 Four Seasons Hotel in Washington, D.C., and held its
1630 National Day celebration instead at Trump International
1631 Hotel. Foreign money has been flowing to the Trump Hotel;
1632 foreign money has flowed to Trump Tower; foreign money has

1633 flowed to Trump Enterprises all over the globe. Ivanka
1634 Trump has gotten licenses issued by the Chinese at crucial
1635 times when diplomatic efforts were going on with our country
1636 and China concerning tariffs and other issues concerning
1637 North Korea.

1638 The emoluments clause says he needs to come to
1639 Congress. We say here that this inquiry is supposed to be
1640 about congressional oversight, congressional
1641 responsibilities, upholding our constitutional duties. One
1642 of the specific duties of the President is to ask Congress
1643 for permission before he gets a foreign emolument. He has
1644 never done so. He has rubbed his nose at the United States
1645 Congress; he has held us in contempt; we have done nothing.
1646 If you want to stand up for Congress, if you want to do your
1647 duty, you have got to make an inquiry into emoluments and
1648 the violations thereof.

1649 So, I urge my colleagues to support this amendment to
1650 help get this committee the information it needs to protect
1651 our national integrity, our security, and our Constitution.
1652 I yield back.

1653 Chairman Goodlatte. The chair recognizes himself in
1654 opposition the amendment. I am opposed to the amendment.

1655 The question occurs on the amendment offered by the
1656 gentleman from Tennessee.

1657 All those in favor, respond by saying aye.

1658 Those opposed, no.

1659 In the opinion of the chair, the noes have it. The
1660 amendment is not agreed to.

1661 Mr. Cohen. I request a recorded vote.

1662 Chairman Goodlatte. A roll call vote is requested, and
1663 the clerk will call the roll.

1664 Ms. Adcock. Mr. Goodlatte?

1665 Chairman Goodlatte. No.

1666 Ms. Adcock. Mr. Goodlatte votes no.

1667 Mr. Sensenbrenner?

1668 [No response.]

1669 Mr. Smith?

1670 [No response.]

1671 Mr. Chabot?

1672 Mr. Chabot. No.

1673 Ms. Adcock. Mr. Chabot votes no.

1674 Mr. Issa?

1675 [No response.]

1676 Mr. King?

1677 Mr. King. No.

1678 Ms. Adcock. Mr. King votes no.

1679 Mr. Gohmert?

1680 Mr. Gohmert. No.

1681 Ms. Adcock. Mr. Gohmert votes no.

1682 Mr. Jordan?

1683 Mr. Jordan. No.

1684 Ms. Adcock. Mr. Jordan votes no.

1685 Mr. Poe?

1686 [No response.]

1687 Mr. Marino?

1688 Mr. Marino. No.

1689 Ms. Adcock. Mr. Marino votes no.

1690 Mr. Gowdy?

1691 [No response.]

1692 Mr. Labrador?

1693 Mr. Labrador. No.

1694 Ms. Adcock. Mr. Labrador votes no.

1695 Mr. Collins?

1696 Mr. Collins. No.

1697 Ms. Adcock. Mr. Collins votes no.

1698 Mr. DeSantis?

1699 Mr. DeSantis. No.

1700 Ms. Adcock. Mr. DeSantis votes no.

1701 Mr. Buck?

1702 Mr. Buck. No.

1703 Ms. Adcock. Mr. Buck votes no.

1704 Mr. Ratcliffe?

1705 Mr. Ratcliffe. No.

1706 Ms. Adcock. Mr. Ratcliffe votes no.

1707 Mrs. Roby?

1708 [No response.]

1709 Mr. Gaetz?

1710 Mr. Gaetz. No.

1711 Ms. Adcock. Mr. Gaetz votes no.

1712 Mr. Johnson of Louisiana?

1713 Mr. Johnson of Louisiana. No.

1714 Ms. Adcock. Mr. Johnson votes no.

1715 Mr. Biggs?

1716 Mr. Biggs. No.

1717 Ms. Adcock. Mr. Biggs votes no.

1718 Mr. Rutherford?

1719 Mr. Rutherford. No.

1720 Ms. Adcock. Mr. Rutherford votes no.

1721 Mrs. Handel?

1722 Mrs. Handel. No.

1723 Ms. Adcock. Mrs. Handel votes no.

1724 Mr. Rothfus?

1725 [No response.]

1726 Mr. Nadler?

1727 Mr. Nadler. Aye.

1728 Ms. Adcock. Mr. Nadler votes aye.

1729 Ms. Lofgren?

1730 Ms. Lofgren. Aye.

1731 Ms. Adcock. Ms. Lofgren votes aye.

1732 Ms. Jackson Lee?

1733 Ms. Jackson Lee. Aye.

1734 Ms. Adcock. Ms. Jackson Lee votes aye.

1735 Mr. Cohen?

1736 Mr. Cohen. I will not put my head in the sand. I will

1737 protect the Constitution, and I vote aye.

1738 Ms. Adcock. Mr. Cohen votes aye.

1739 Mr. Johnson of Georgia?

1740 Mr. Johnson of Georgia. Aye.

1741 Ms. Adcock. Mr. Johnson votes aye.

1742 Mr. Deutch?

1743 [No response.]

1744 Mr. Gutierrez?

1745 [No response.]

1746 Ms. Bass?

1747 [No response.]

1748 Mr. Richmond?

1749 [No response.]

1750 Mr. Jeffries?

1751 Mr. Jeffries. Aye.

1752 Ms. Adcock. Mr. Jeffries votes aye.

1753 Mr. Cicilline?

1754 [No response.]

1755 Mr. Swalwell?

1756 [No response.]

1757 Mr. Lieu?

1758 Mr. Lieu. Aye.

1759 Ms. Adcock. Mr. Lieu votes aye.

1760 Mr. Raskin?

1761 Mr. Raskin. Aye.

1762 Ms. Adcock. Mr. Raskin votes aye.

1763 Ms. Jayapal?

1764 [No response.]

1765 Mr. Schneider?

1766 Mr. Schneider. Aye.

1767 Ms. Adcock. Mr. Schneider votes aye.

1768 Ms. Demings?

1769 Ms. Demings. Aye.

1770 Ms. Adcock. Ms. Demings votes aye.

1771 Chairman Goodlatte. The gentleman from California?

1772 Mr. Issa. No.

1773 Ms. Adcock. Mr. Issa votes no.

1774 Chairman Goodlatte. The clerk will report.

1775 Ms. Adcock. Mr. Chairman, 10 member voted aye; 17

1776 members voted no.

1777 Chairman Goodlatte. And the amendment is not agreed

1778 to.

1779 Ms. Jackson Lee. Mr. Chairman, I have an amendment at

1780 the desk.

1781 Chairman Goodlatte. The clerk will report the

1782 amendment.

1783 Ms. Adcock. Amendment to the amendment in the nature
1784 of a substitute to H. Res. 938, offered by Ms. Jackson Lee.

1785 Add, at the end, the following --

1786 [The amendment of Ms. Jackson Lee follows:]

1787 ***** COMMITTEE INSERT *****

1788 Chairman Goodlatte. Without objection, the amendment
1789 is considered as read, and the gentlewoman is recognized for
1790 5 minutes on her amendment.

1791 Ms. Jackson Lee. The subject of this resolution, Mr.
1792 Chairman, is an inquiry directing the Attorney General to
1793 provide certain documents in the Attorney General's
1794 possession to the House of Representatives relating to the
1795 ongoing congressional investigation relating to certain
1796 prosecutorial investigatory decisions made by the Department
1797 of Justice and Federal Bureau of Investigation surrounding
1798 the 2016 election.

1799 There are many things surrounding the 2016 elections,
1800 and as we have evidenced in the making of the Jordan
1801 amendment germane, this amendment deals with the
1802 communications relevant to the meetings and communications
1803 between the executive office of the President and the
1804 Department of Justice so that people can fully learn and
1805 understand the inhumane policy of separating children from
1806 their parents. How it was developed, evolved, and how the
1807 administration intends to put a stop to it.

1808 Over the last many weeks, the country has been
1809 horrified by the sights and sounds of children being
1810 separated from their parents and Americans aghast at the
1811 realization that families are being torn apart in their
1812 name. Texas shares the largest border with Mexico. Texas

1813 is currently ground zero for policy that rightly draws
1814 comparisons made by the First Lady Mrs. Bush to Japanese
1815 internment. At its peak, this Trump administration policy
1816 resulted in the separation of, allegedly, 2,300 children
1817 from their parents, but there may be more.

1818 There have been discussions about the impact of
1819 immigration. There are reports that children are being
1820 drugged against their will and given sedatives as a way to
1821 make these children forget about the ordeal they have
1822 experienced. They are being drugged to keep them quiet;
1823 they are being caged; they are using foil blankets.

1824 They are potentially to be housed in tent cities.
1825 Children are as young as 3 months old; the one that I held
1826 in my arms was 9 months old. He could not communicate, tell
1827 anyone where he needed to go or to ask anyone questions
1828 about where his sister is who came with him or where any
1829 other relative is.

1830 We do not yet have a full understanding of how many
1831 children there are. We do not have an understanding of how
1832 many unaccompanied children there are. What is the criteria
1833 and structure of the plan to reunite these children? How
1834 the Federal Government, which propagated this heinous
1835 policy, document that they have reunited all of these
1836 children with their family or parents? We know that there
1837 were comments during the campaign made regarding this

1838 election. We also know that there were undermining emails
1839 sent by the Russian trolls to taint the minds of those which
1840 contributed to this present situation.

1841 While the President purported to end the practice with
1842 his executive order signed on Wednesday, thousands of
1843 children have been torn apart from their families and sent
1844 to various pockets of the country, often under cover of
1845 night, without any indication to their parents as to their
1846 whereabouts or plan to reunite them.

1847 This amendment is offered on behalf of myself and Mr.
1848 Cicilline of Rhode Island. Both of us visited the border,
1849 McAllen and Brownsville, and saw firsthand the devastation
1850 of the tragedy of these children. In my hometown, an effort
1851 is being made to set up another facility without any
1852 knowledge to the local community.

1853 This is a morally bankrupt policy; it can have no
1854 footprint in our beloved city. But more importantly, this
1855 is a bankrupt policy as relates to the unaccompanied
1856 children, but more importantly, as it relates to children
1857 that we know that we are given trust to the Federal
1858 Government as unaccompanied children, and now we have no
1859 knowledge of the numbers, the intent to reunite, or the
1860 intent to work with these children in the right manner.

1861 Again, little Leah, 9-month-old Roger, both snatched
1862 from their families, in a center, with no idea when they

1863 will be reunited with their families. This information is
1864 part of, and should be part of, an ongoing investigation to
1865 determine its impact and what was said, if you will, that
1866 drew to these policies now. What was said, what were the
1867 policies, what were the undermining efforts to undermine the
1868 election by using immigration as a dividing cause in this
1869 nation. So, I ask my colleagues to support this amendment.

1870 Chairman Goodlatte. The chair recognizes himself in
1871 opposition to the amendment. This is not a good amendment,
1872 and I urge my colleagues to vote against it.

1873 The question occurs on the amendment offered by the
1874 gentlewoman from Texas.

1875 All those in favor, respond by saying aye.

1876 Those opposed, no.

1877 In the opinion of the chair, the noes have it.

1878 Ms. Jackson Lee. Roll call.

1879 Chairman Goodlatte. A recorded vote is requested, and
1880 the clerk will call the roll.

1881 Ms. Adcock. Mr. Goodlatte?

1882 Chairman Goodlatte. No.

1883 Ms. Adcock. Mr. Goodlatte votes no.

1884 Mr. Sensenbrenner?

1885 [No response.]

1886 Mr. Smith?

1887 [No response.]

1888 Mr. Chabot?
1889 Mr. Chabot. No.
1890 Ms. Adcock. Mr. Chabot votes no.
1891 Mr. Issa?
1892 [No response.]
1893 Mr. King?
1894 Mr. King. Nay.
1895 Ms. Adcock. Mr. King votes nay.
1896 Mr. Gohmert?
1897 [No response.]
1898 Mr. Jordan?
1899 Mr. Jordan. No.
1900 Ms. Adcock. Mr. Jordan votes no.
1901 Mr. Poe?
1902 [No response.]
1903 Mr. Marino?
1904 Mr. Marino. No.
1905 Ms. Adcock. Mr. Marino votes no.
1906 Mr. Gowdy?
1907 [No response.]
1908 Mr. Labrador?
1909 Mr. Labrador. No.
1910 Ms. Adcock. Mr. Labrador votes no.
1911 Mr. Collins?
1912 Mr. Collins. No.

1913 Ms. Adcock. Mr. Collins votes no.
1914 Mr. DeSantis?
1915 [No response.]
1916 Mr. Buck?
1917 Mr. Buck. No.
1918 Ms. Adcock. Mr. Buck votes no.
1919 Mr. Ratcliffe?
1920 Mr. Ratcliffe. No.
1921 Ms. Adcock. Mr. Ratcliffe votes no.
1922 Mrs. Roby?
1923 [No response.]
1924 Mr. Gaetz?
1925 Mr. Gaetz. No.
1926 Ms. Adcock. Mr. Gaetz votes no.
1927 Mr. Johnson of Louisiana?
1928 [No response.]
1929 Mr. Biggs?
1930 Mr. Biggs. No.
1931 Ms. Adcock. Mr. Biggs votes no.
1932 Mr. Rutherford?
1933 Mr. Rutherford. No.
1934 Ms. Adcock. Mr. Rutherford votes no.
1935 Mrs. Handel?
1936 Mrs. Handel. No.
1937 Ms. Adcock. Mrs. Handel votes no.

1938 Mr. Rothfus?
1939 [No response.]
1940 Mr. Nadler?
1941 Mr. Nadler. Aye.
1942 Ms. Adcock. Mr. Nadler votes aye.
1943 Ms. Lofgren?
1944 Ms. Lofgren. Aye.
1945 Ms. Adcock. Ms. Lofgren votes aye.
1946 Ms. Jackson Lee?
1947 Ms. Jackson Lee. Aye.
1948 Ms. Adcock. Ms. Jackson Lee votes aye.
1949 Mr. Cohen?
1950 Mr. Cohen. Aye.
1951 Ms. Adcock. Mr. Cohen votes aye.
1952 Mr. Johnson of Georgia?
1953 Mr. Johnson of Georgia. Aye.
1954 Ms. Adcock. Mr. Johnson votes aye.
1955 Mr. Deutch?
1956 [No response.]
1957 Mr. Gutierrez?
1958 [No response.]
1959 Ms. Bass?
1960 [No response.]
1961 Mr. Richmond?
1962 [No response.]

1963 Mr. Jeffries?

1964 Mr. Jeffries. Aye.

1965 Ms. Adcock. Mr. Jeffries votes aye.

1966 Mr. Cicilline?

1967 Mr. Cicilline. Aye.

1968 Ms. Adcock. Mr. Cicilline votes aye.

1969 Mr. Swalwell?

1970 [No response.]

1971 Mr. Lieu?

1972 Mr. Lieu. Aye.

1973 Ms. Adcock. Mr. Lieu votes aye.

1974 Mr. Raskin?

1975 Mr. Raskin. Aye.

1976 Ms. Adcock. Mr. Raskin votes aye.

1977 Ms. Jayapal?

1978 [No response].

1979 Mr. Schneider?

1980 Mr. Schneider. Aye.

1981 Ms. Adcock. Mr. Schneider votes aye.

1982 Ms. Demings?

1983 Ms. Demings. Aye.

1984 Ms. Adcock. Ms. Demings votes aye.

1985 Chairman Goodlatte. The gentleman from Texas, Mr.

1986 Gohmert?

1987 Mr. Gohmert. No.

1988 Ms. Adcock. Mr. Gohmert votes no.

1989 Chairman Goodlatte. The gentleman from Florida?

1990 Mr. DeSantis. No.

1991 Ms. Adcock. Mr. DeSantis votes no.

1992 Chairman Goodlatte. The gentleman from Texas, Mr. Poe?

1993 Mr. Poe. No.

1994 Ms. Adcock. Mr. Poe votes no.

1995 Chairman Goodlatte. Has every member voted who wishes

1996 to vote?

1997 The clerk will report.

1998 Ms. Adcock. Mr. Chairman, 11 members voted aye; 16

1999 members voted no.

2000 Chairman Goodlatte. And the amendment is not agreed

2001 to. For what purpose does the gentleman from Florida seek

2002 recognition?

2003 Mr. Gaetz. Mr. Chairman, I move the previous question

2004 on the Jordan amendment.

2005 Chairman Goodlatte. The previous question has been

2006 moved.

2007 All those in favor, respond by saying aye.

2008 Those opposed, no.

2009 In the opinion of the chair, the ayes have it, and the

2010 previous question is ordered. A recorded vote is requested,

2011 and the clerk will call the roll.

2012 Ms. Adcock. Mr. Goodlatte?

2013 Chairman Goodlatte. Aye.

2014 Ms. Adcock. Mr. Goodlatte votes aye.

2015 Mr. Sensenbrenner?

2016 [No response.]

2017 Mr. Smith?

2018 [No response.]

2019 Mr. Chabot?

2020 Mr. Chabot. Aye.

2021 Ms. Adcock. Mr. Chabot votes aye.

2022 Mr. Issa?

2023 [No response.]

2024 Mr. King?

2025 Mr. King. Yes.

2026 Ms. Adcock. Mr. King votes yes.

2027 Mr. Gohmert?

2028 Mr. Gohmert. Aye.

2029 Ms. Adcock. Mr. Gohmert votes aye.

2030 Mr. Jordan?

2031 Mr. Jordan. Yes.

2032 Ms. Adcock. Mr. Jordan votes yes.

2033 Mr. Poe?

2034 [No response.]

2035 Mr. Marino?

2036 Mr. Marino. Yes.

2037 Ms. Adcock. Mr. Marino votes yes.

2038 Mr. Gowdy?

2039 [No response.]

2040 Mr. Labrador?

2041 Mr. Labrador. Yes.

2042 Ms. Adcock. Mr. Labrador votes yes.

2043 Mr. Collins?

2044 Mr. Collins. Yes.

2045 Ms. Adcock. Mr. Collins votes yes.

2046 Mr. DeSantis?

2047 [No response.]

2048 Mr. Buck?

2049 Mr. Buck. Yes.

2050 Ms. Adcock. Mr. Buck votes yes.

2051 Mr. Ratcliffe?

2052 Mr. Ratcliffe. Yes.

2053 Ms. Adcock. Mr. Ratcliffe votes yes.

2054 Mrs. Roby?

2055 [No response.]

2056 Mr. Gaetz?

2057 Mr. Gaetz. Yes.

2058 Ms. Adcock. Mr. Gaetz votes yes.

2059 Mr. Johnson of Louisiana?

2060 [No response.]

2061 Mr. Biggs?

2062 Mr. Biggs. Aye.

2063 Ms. Adcock. Mr. Biggs votes aye.
2064 Mr. Rutherford?
2065 Mr. Rutherford. Yes.
2066 Ms. Adcock. Mr. Rutherford votes yes.
2067 Mrs. Handel?
2068 Mrs. Handel. Yes.
2069 Ms. Adcock. Mrs. Handel votes yes.
2070 Mr. Rothfus?
2071 [No response.]
2072 Mr. Nadler?
2073 Mr. Nadler. No.
2074 Ms. Adcock. Mr. Nadler votes no.
2075 Ms. Lofgren?
2076 Ms. Lofgren. No.
2077 Ms. Adcock. Ms. Lofgren votes no.
2078 Ms. Jackson Lee?
2079 Ms. Jackson Lee. No.
2080 Ms. Adcock. Ms. Jackson Lee votes no.
2081 Mr. Cohen?
2082 Mr. Cohen. No.
2083 Ms. Adcock. Mr. Cohen votes no.
2084 Mr. Johnson of Georgia?
2085 Mr. Johnson of Georgia. No.
2086 Ms. Adcock. Mr. Johnson votes no.
2087 Mr. Deutch?

2088 [No response.]
2089 Mr. Gutierrez?
2090 [No response.]
2091 Ms. Bass?
2092 [No response.]
2093 Mr. Richmond?
2094 [No response.]
2095 Mr. Jeffries?
2096 Mr. Jeffries. No.
2097 Ms. Adcock. Mr. Jeffries votes no.
2098 Mr. Cicilline?
2099 Mr. Cicilline. No.
2100 Ms. Adcock. Mr. Cicilline votes no.
2101 Mr. Swalwell?
2102 [No response.]
2103 Mr. Lieu?
2104 Mr. Lieu. No.
2105 Ms. Adcock. Mr. Lieu votes no.
2106 Mr. Raskin?
2107 Mr. Raskin. No.
2108 Ms. Adcock. Mr. Raskin votes no.
2109 Ms. Jayapal?
2110 [No response.]
2111 Mr. Schneider?
2112 Mr. Schneider. No.

2113 Ms. Adcock. Mr. Schneider votes no.

2114 Ms. Demings?

2115 Ms. Demings. No.

2116 Ms. Adcock. Ms. Demings votes no.

2117 Chairman Goodlatte. The gentleman from Florida?

2118 Mr. DeSantis. Yes.

2119 Ms. Adcock. Mr. DeSantis votes yes.

2120 Chairman Goodlatte. The gentleman from California?

2121 Mr. Issa. Yes.

2122 Ms. Adcock. Mr. Issa votes yes.

2123 Chairman Goodlatte. Has every member voted who wishes

2124 to vote? The clerk will report.

2125 Ms. Adcock. Mr. Chairman, 16 members voted aye; 11

2126 members voted no.

2127 Chairman Goodlatte. And the amendment is agreed to.

2128 Mr. Nadler. Mr. Chairman?

2129 Chairman Goodlatte. The previous question is ordered.

2130 Mr. Nadler. Mr. Chairman?

2131 Chairman Goodlatte. The question is on the Jordan

2132 amendment.

2133 Mr. Nadler. Mr. Chairman?

2134 Chairman Goodlatte. All those in favor, respond by

2135 saying aye.

2136 Mr. Johnson of Georgia. Mr. Chairman?

2137 Chairman Goodlatte. Those opposed, no.

2138 In the opinion of the chair, the ayes have it --

2139 Mr. Nadler. Parliamentary inquiry, Mr. Chairman.

2140 Chairman Goodlatte. The gentleman will state his

2141 parliamentary inquiry.

2142 Mr. Nadler. How many amendments are pending at the

2143 desk?

2144 Chairman Goodlatte. I do not know the answer to that.

2145 Mr. Nadler. Well, you can find out.

2146 Chairman Goodlatte. The question --

2147 Mr. Johnson of Georgia. Mr. Chairman?

2148 Mr. Raskin. Mr. Chairman?

2149 Chairman Goodlatte. The previous --

2150 Mr. Johnson of Georgia. Mr. Chairman, point of order.

2151 Mr. Nadler. How many amendments do you have at the

2152 desk?

2153 Chairman Goodlatte. The previous question has been

2154 ordered, and the question is on the amendment offered by the

2155 gentleman from Ohio.

2156 All those in favor, respond by saying aye.

2157 Mr. Nadler. Parliamentary inquiry, Mr. Chairman.

2158 Chairman Goodlatte. Those opposed, no.

2159 In the opinion of the chairs, the ayes have it, and the

2160 amendment is agreed to.

2161 The question occurs on the motion --

2162 Mr. Cicilline. Point of order, Mr. Chairman.

2163 Mr. Raskin. Point of order.

2164 Chairman Goodlatte. -- as amended --

2165 Mr. Cicilline. Point of order, Mr. Chairman.

2166 Chairman Goodlatte. All those in favor, respond by
2167 saying aye.

2168 Mr. Cicilline. Point of order, Mr. Chairman.

2169 Chairman Goodlatte. The gentleman will state his point
2170 of order.

2171 Mr. Cicilline. Thank you, Mr. Chairman. My question
2172 is that we have --

2173 Chairman Goodlatte. The gentleman must state --

2174 Mr. Cicilline. My point of order is --

2175 Chairman Goodlatte. -- a point of order.

2176 Mr. Cicilline. My point of order is I have an
2177 amendment, Mr. Chairman, that now should be considered
2178 before we vote on the underlying --

2179 Chairman Goodlatte. The previous question has been
2180 ordered. The gentleman's amendment is not in order.

2181 Mr. Cicilline. Point of order, Mr. Chairman.

2182 Mr. Raskin. Point of order.

2183 Ms. Jackson Lee. Point of order, Mr. Chairman.

2184 Chairman Goodlatte. The gentlewoman will state her
2185 point of order.

2186 Ms. Jackson Lee. The point of order is the gentleman's
2187 motion was premature, and in fact, it was --

2188 Chairman Goodlatte. That is not a point of order.

2189 Ms. Jackson Lee. The motion was premature. There were
2190 pending amendments at the desk. And might I add the
2191 amendment that I previously discussed --

2192 Chairman Goodlatte. That is not a point of order.

2193 Mr. Nadler. Mr. Chairman, parliamentary inquiry.

2194 Ms. Jackson Lee. Point of order, Mr. Chairman. Point
2195 of order, Mr. Chairman. It was premature, and the
2196 amendments that are forthcoming --

2197 Chairman Goodlatte. That is not a point of order.

2198 Mr. Nadler. Parliamentary inquiry.

2199 Mr. Raskin. Point of order, Mr. Chairman.

2200 Chairman Goodlatte. The gentleman will state his
2201 parliamentary inquiry.

2202 Mr. Nadler. Is it now the policy of the committee to
2203 shut down all debate and amendments?

2204 Chairman Goodlatte. That is not an appropriate
2205 parliamentary inquiry.

2206 Mr. Raskin. Point of order, Mr. Chairman.

2207 Mr. Cicilline. Unanimous consent request, Mr.
2208 Chairman. Unanimous consent request.

2209 Chairman Goodlatte. The question is on the Goodlatte
2210 amendment as amended.

2211 All those in favor, respond by saying aye.

2212 Mr. Raskin. Point of order, Mr. Chairman.

2213 Chairman Goodlatte. Those opposed, no.
2214 The ayes have it, and the --
2215 Mr. Nadler. Roll call.
2216 Chairman Goodlatte. A recorded vote is requested, and
2217 the clerk will call the roll.
2218 Ms. Adcock. Mr. Goodlatte?
2219 Chairman Goodlatte. Aye.
2220 Ms. Adcock. Mr. Goodlatte votes aye.
2221 Mr. Sensenbrenner?
2222 [No response.]
2223 Mr. Smith?
2224 [No response.]
2225 Mr. Chabot?
2226 Mr. Chabot. Aye.
2227 Ms. Adcock. Mr. Chabot votes aye.
2228 Mr. Issa?
2229 Mr. Issa. Aye.
2230 Ms. Adcock. Mr. Issa votes aye.
2231 Mr. King?
2232 Mr. King. Aye.
2233 Ms. Adcock. Mr. King votes aye.
2234 Mr. Gohmert?
2235 Mr. Gohmert. Aye.
2236 Ms. Adcock. Mr. Gohmert votes aye.
2237 Mr. Jordan?

2238 Mr. Jordan. Yes.

2239 Ms. Adcock. Mr. Jordan votes yes.

2240 Mr. Poe?

2241 [No response.]

2242 Mr. Marino?

2243 Mr. Marino. Yes.

2244 Ms. Adcock. Mr. Marino votes yes.

2245 Mr. Gowdy?

2246 [No response.]

2247 Mr. Labrador?

2248 Mr. Labrador. Yes.

2249 Ms. Adcock. Mr. Labrador votes yes.

2250 Mr. Collins?

2251 Mr. Collins. Yes.

2252 Ms. Adcock. Mr. Collins votes yes.

2253 Mr. DeSantis?

2254 [No response]

2255 Mr. Buck?

2256 Mr. Buck. Aye.

2257 Ms. Adcock. Mr. Buck votes aye.

2258 Mr. Ratcliffe?

2259 Mr. Ratcliffe. Yes.

2260 Ms. Adcock. Mr. Ratcliffe votes yes.

2261 Mrs. Roby?

2262 [No response.]

2263 Mr. Gaetz?

2264 Mr. Gaetz. Yes.

2265 Ms. Adcock. Mr. Gaetz votes yes.

2266 Mr. Johnson of Louisiana?

2267 [No response.]

2268 Mr. Biggs?

2269 Mr. Biggs. Aye.

2270 Ms. Adcock. Mr. Biggs votes aye.

2271 Mr. Rutherford?

2272 Mr. Rutherford. Aye.

2273 Ms. Adcock. Mr. Rutherford votes aye.

2274 Mrs. Handel?

2275 Mrs. Handel. Yes.

2276 Ms. Adcock. Mrs. Handel votes yes.

2277 Mr. Rothfus?

2278 [No response.]

2279 Mr. Nadler?

2280 Mr. Nadler. No.

2281 Ms. Adcock. Mr. Nadler votes no.

2282 Ms. Lofgren?

2283 Ms. Lofgren. No.

2284 Ms. Adcock. Ms. Lofgren votes no.

2285 Ms. Jackson Lee?

2286 Ms. Jackson Lee. No.

2287 Ms. Adcock. Ms. Jackson Lee votes no.

2288 Mr. Cohen?
2289 [No response.]
2290 Mr. Johnson of Georgia?
2291 [No response.]
2292 Mr. Deutch?
2293 [No response.]
2294 Mr. Gutierrez?
2295 [No response.]
2296 Ms. Bass?
2297 [No response.]
2298 Mr. Richmond?
2299 [No response.]
2300 Mr. Jeffries?
2301 [No response.]
2302 Mr. Cicilline?
2303 Mr. Cicilline. No.
2304 Ms. Adcock. Mr. Cicilline votes no.
2305 Mr. Swalwell?
2306 [No response.]
2307 Mr. Lieu?
2308 Mr. Lieu. No.
2309 Ms. Adcock. Mr. Lieu votes no.
2310 Mr. Raskin?
2311 Mr. Raskin. No.
2312 Ms. Adcock. Mr. Raskin votes no.

2313 Ms. Jayapal?

2314 [No response.]

2315 Mr. Schneider?

2316 Mr. Schneider. No.

2317 Ms. Adcock. Mr. Schneider votes no.

2318 Ms. Demings?

2319 Ms. Demings. No.

2320 Ms. Adcock. Ms. Demings votes no.

2321 Chairman Goodlatte. The gentleman from Florida?

2322 Mr. DeSantis. Yes.

2323 Ms. Adcock. Mr. DeSantis votes yes.

2324 Chairman Goodlatte. Has every member voted who wishes

2325 to vote?

2326 Mr. Cohen. I would like to vote.

2327 Mr. Johnson of Georgia. Yes, how am I recorded?

2328 Chairman Goodlatte. The gentleman is recorded as a no.

2329 Okay, the gentleman from Georgia is recognized.

2330 Ms. Adcock. Mr. Johnson votes no.

2331 Mr. Cohen. How am I recognized? Not how am I

2332 recognized, but how am I recorded?

2333 Ms. Adcock. Not recorded.

2334 Chairman Goodlatte. The gentleman from Tennessee?

2335 Mr. Cohen. No.

2336 Ms. Adcock. Mr. Cohen votes no.

2337 Chairman Goodlatte. Has every member voted who wishes

2338 to vote? The clerk will report.

2339 Ms. Adcock. Mr. Chairman, 16 members voted aye; 10
2340 members voted no.

2341 Chairman Goodlatte. And the amendment is agreed to.
2342 The question occurs on passage of the bill.

2343 A reporting quorum being present, all those in favor
2344 respond by saying aye.

2345 Those opposed, no.

2346 In the opinion of the chair, the ayes have it, and the
2347 bill is ordered -- a recorded vote is requested, and the
2348 clerk will call the roll.

2349 Ms. Adcock. Mr. Goodlatte?

2350 Chairman Goodlatte. Aye.

2351 Ms. Adcock. Mr. Goodlatte votes aye.

2352 Mr. Sensenbrenner?

2353 [No response.]

2354 Mr. Smith?

2355 [No response.]

2356 Mr. Chabot?

2357 Mr. Chabot. Aye.

2358 Ms. Adcock. Mr. Chabot votes aye.

2359 Mr. Issa?

2360 [No response.]

2361 Mr. King?

2362 Mr. King. Aye.

2363 Ms. Adcock. Mr. King votes aye.

2364 Mr. Gohmert?

2365 Mr. Gohmert. Aye.

2366 Ms. Adcock. Mr. Gohmert votes aye.

2367 Mr. Jordan?

2368 Mr. Jordan. Yes.

2369 Ms. Adcock. Mr. Jordan votes yes.

2370 Mr. Poe?

2371 [No response.]

2372 Mr. Marino?

2373 Mr. Marino. Yes.

2374 Ms. Adcock. Mr. Marino votes yes.

2375 Mr. Gowdy?

2376 [No response.]

2377 Mr. Labrador?

2378 Mr. Labrador. Yes.

2379 Ms. Adcock. Mr. Labrador votes yes.

2380 Mr. Collins?

2381 Mr. Collins. Yes.

2382 Ms. Adcock. Mr. Collins votes yes.

2383 Mr. DeSantis?

2384 Mr. DeSantis. Yes.

2385 Ms. Adcock. Mr. DeSantis votes yes.

2386 Mr. Buck?

2387 Mr. Buck. Aye.

2388 Ms. Adcock. Mr. Buck votes aye.
2389 Mr. Ratcliffe?
2390 Mr. Ratcliffe. Yes.
2391 Ms. Adcock. Mr. Ratcliffe votes yes.
2392 Mrs. Roby?
2393 [No response.]
2394 Mr. Gaetz?
2395 Mr. Gaetz. Yes.
2396 Ms. Adcock. Mr. Gaetz votes yes.
2397 Mr. Johnson of Louisiana?
2398 [No response.]
2399 Mr. Biggs?
2400 Mr. Biggs. Aye.
2401 Ms. Adcock. Mr. Biggs votes aye.
2402 Mr. Rutherford?
2403 Mr. Rutherford. Yes.
2404 Ms. Adcock. Mr. Rutherford votes yes.
2405 Mrs. Handel?
2406 Mrs. Handel. Yes.
2407 Ms. Adcock. Mrs. Handel votes yes.
2408 Mr. Rothfus?
2409 [No response.]
2410 Mr. Nadler?
2411 Mr. Nadler. No.
2412 Ms. Adcock. Mr. Nadler votes no.

2413 Ms. Lofgren?

2414 Ms. Lofgren. No.

2415 Ms. Adcock. Ms. Lofgren votes no.

2416 Ms. Jackson Lee?

2417 Ms. Jackson Lee. Because there are children still

2418 suffering at the borders and babies in cages, I vote no.

2419 Ms. Adcock. Ms. Jackson Lee votes no.

2420 Mr. Cohen?

2421 Mr. Cohen. No.

2422 Ms. Adcock. Mr. Cohen votes no.

2423 Mr. Johnson of Georgia?

2424 Mr. Johnson of Georgia. No.

2425 Ms. Adcock. Mr. Johnson votes no.

2426 Mr. Deutch?

2427 [No response.]

2428 Mr. Gutierrez?

2429 [No response.]

2430 Ms. Bass?

2431 [No response.]

2432 Mr. Richmond?

2433 [No response.]

2434 Mr. Jeffries?

2435 [No response.]

2436 Mr. Cicilline?

2437 Mr. Cicilline. No.

2438 Ms. Adcock. Mr. Cicilline votes no.
2439 Mr. Swalwell?
2440 [No response.]
2441 Mr. Lieu?
2442 Mr. Lieu. No.
2443 Ms. Adcock. Mr. Lieu votes no.
2444 Mr. Raskin?
2445 Mr. Raskin. No.
2446 Ms. Adcock. Mr. Raskin votes no.
2447 Ms. Jayapal?
2448 [No response.]
2449 Mr. Schneider?
2450 Mr. Schneider. No.
2451 Ms. Adcock. Mr. Schneider votes no.
2452 Ms. Demings?
2453 Ms. Demings. No.
2454 Ms. Adcock. Ms. Demings votes no.
2455 Chairman Goodlatte. Has every member voted who wishes
2456 to vote?
2457 Mr. Nadler. Mr. Chairman?
2458 Chairman Goodlatte. The gentleman is recorded as a no.
2459 Mr. Nadler. I did not ask the question yet. Mr.
2460 Chairman?
2461 Chairman Goodlatte. For what purpose does the
2462 gentleman from New York seek recognition?

2463 Mr. Nadler. How is Mr. Cicilline recorded?

2464 Chairman Goodlatte. I believe Mr. Cicilline is
2465 recorded as a no.

2466 Mr. Cicilline. Mr. Chairman, may I make a unanimous
2467 consent request?

2468 Chairman Goodlatte. Not in the middle of the vote.
2469 The gentleman from California?

2470 Mr. Swalwell. No.

2471 Ms. Adcock. Mr. Swalwell votes no.

2472 Chairman Goodlatte. Has every member voted who wishes
2473 to vote? The clerk will report.

2474 Ms. Adcock. Mr. Chairman, 15 members voted aye; 11
2475 members voted no.

2476 Chairman Goodlatte. The ayes have it, and the bill as
2477 amended is reported favorably to the House.

2478 Members will have 2 days to submit views. Without
2479 objection, the bill will be reported as a single amendment
2480 in the nature of a substitute incorporating all adopted
2481 amendments, and staff is authorized to make technical and
2482 conforming changes.

2483 Mr. Nadler. I object.

2484 Chairman Goodlatte. The objection is heard. Pursuant
2485 to notice, I now call up House resolution 928 for purposes
2486 of markup and move the committee report the bill unfavorably
2487 to the House. The clerk will report the bill.

2488 Ms. Adcock. H. Res. 928, of inquiry, requesting the
2489 President and directing the Attorney General to transmit,
2490 respectively, certain documents to the House of
2491 Representatives relating to the President's use of the
2492 pardon power under Article II, section 2 of the
2493 Constitution.

2494 Chairman Goodlatte. Without objection, the bill is --
2495 Mr. Cicilline. I object, Mr. Chairman, to the
2496 suspending of the reading. I object.

2497 Chairman Goodlatte. The clerk will read.

2498 Ms. Adcock. Directing the Attorney General to
2499 transmit, respectively, certain documents to the House of
2500 Representatives relating to the President's use of the
2501 pardon power under Article II, section 2 of the
2502 Constitution.

2503 Resolve: that the President is requested, and the
2504 Attorney General of the United States is directed, to
2505 transmit, respectively, to the House of Representatives not
2506 later than 14 days after the date of the adoption of this
2507 resolution copies of any document, record, audio recording,
2508 memorandum, correspondence, or other communication in their
2509 possession or any portion of such communication that refers
2510 to relates to the following: any pardon issued by the
2511 President on or after January 20th, 2017; any pardon under
2512 consideration by the President --

2513 Mr. Raskin. Mr. Chairman, I cannot hear. It is too
2514 noisy in the room.

2515 Chairman Goodlatte. The clerk will continue.

2516 Ms. Adcock. -- including pardons under consideration
2517 for any of the following individuals: Michael Cohen, the
2518 President's personal attorney; Paul Manafort, former
2519 chairman of the Trump presidential campaign; Richard Gates,
2520 former deputy chairman of the Trump presidential campaign;
2521 former national security adviser Michael Flynn; George
2522 Papadopoulos, adviser to the Trump presidential campaign;
2523 Alexander Vanderzwan, attorney and former associate of Paul
2524 Manafort; any consideration of the President's power to
2525 pardon himself, including his assertion that he has the
2526 absolute right to pardon himself; President Trump's decision
2527 to issue pardons without first consulting the Office of the
2528 Pardon Attorney of the Department of Justice.

2529 [The bill follows:]

2530 ***** INSERT 2 *****

2531 Chairman Goodlatte. I now recognize myself for an
2532 opening statement. H Res. 928, introduced by the gentleman
2533 from California, would direct the Attorney General to
2534 transmit certain documents relating to the President's use
2535 of the pardon power under Article II, Section 2 the
2536 Constitution. I urge my colleagues to oppose this
2537 resolution.

2538 Under Article II, section 2, the President has the
2539 power to grant reprieves and pardon for offenses against the
2540 United States. Last Congress, my friends on the other side
2541 cheered as former President Obama issued clemency to nearly
2542 2,000 individuals, more than the last five Presidents
2543 combined. Of those acts of clemency by former President
2544 Obama, 1,715 were commutations of sentence, and most
2545 involved drug trafficking offenders. Mr. Obama commuted 330
2546 sentences on his very last day in office.

2547 As my friends on the other side remember fondly, this
2548 effort to provide early release to drug dealers was aided by
2549 the so-called Clemency Project 2014, an effort by the
2550 criminal defense bar with the full support of the Obama
2551 Justice Department to maximize the number of offenders that
2552 could be granted early release. At the time, this committee
2553 expressed concern about the perceived intent to use the
2554 clemency power to circumvent congressional intent.

2555 We were very concerned because former President Obama

2556 used the power to release offenders who had serious violent,
2557 violent felony convictions, significant connections to
2558 organized crime or gangs, and individuals convicted under
2559 the kingpin statute. Nevertheless, those drug dealers are
2560 now walking our streets and enjoying early release thanks to
2561 President Obama. This is because, as we acknowledged
2562 repeatedly last Congress, no one disputes that the President
2563 has the authority to issue pardons and commutations.

2564 This resolution, by contrast, seeks information about
2565 things that have not yet happened. It is completely
2566 prospective, and there is no indication that in issuing the
2567 pardons he has issued President Trump has acted improperly
2568 or outside the scope of his constitutional powers. Indeed,
2569 President Trump has pardoned five individuals and commuted
2570 the sentences of only two.

2571 As my colleagues may know, the Justice Department's
2572 U.S. Attorney's manual states that commutation of sentence
2573 is an extraordinary remedy that is rarely granted. Thus
2574 far, President Trump's actions with the pardon power are in
2575 line with that sentiment.

2576 This partisan resolution shows clearly that, now that
2577 there is a Republican President, my friends on the other
2578 side of the aisle are suddenly and newly concerned about the
2579 use of constitutional executive power. I urge my colleagues
2580 to oppose this resolution.

2581 It is now my pleasure to recognize the ranking member,
2582 the gentleman from New York, Mr. Nadler, for his opening
2583 statement.

2584 [The prepared statement of Chairman Goodlatte follows:]

2585 ***** COMMITTEE INSERT *****

2586 Mr. Nadler. Thank you, Mr. Chairman.

2587 Chairman Goodlatte. If I may, members are advised that
2588 we must address this issue. We do have 10 minutes remaining
2589 on the vote. We will return and allow the gentleman from
2590 California, the author of the matter, to be heard when we
2591 return. But the gentleman from New York is recognized.

2592 Mr. Nadler. Thank you, Mr. Chairman. The power of the
2593 pardon is vast. Alexander Hamilton told us in Federalist
2594 No. 74 that the benign prerogative of pardoning should be as
2595 little as possible vetted or embarrassed. The power of the
2596 pardon is broad: Article II of the Constitution tells us
2597 that the President "shall have the power to grant reprieves
2598 and pardons for offenses against the United States except in
2599 cases of impeachment."

2600 But the power of the pardon is not a "get out of jail
2601 free" card, and both President Trump and his private
2602 attorneys have said some crazy things about the pardon power
2603 over the past few weeks. I thank Mr. Lieu and Mr. Pascrell
2604 for making this issue a priority and sponsoring the
2605 resolution before us today. Our committee should support
2606 this resolution and investigate the issue without delay.

2607 It may be useful to review some of the individuals
2608 pardoned by President Trump so far. Former sheriff Joe
2609 Arpaio, a serial human rights abuser convicted of lying to
2610 Federal court about his use of racial profiling in defiance

2611 of a Federal court order; Scooter Libby, a Bush
2612 administration official convicted of lying to Federal
2613 authorities in an investigation about the outing of an
2614 undercover CIA agent; Dinesh D'Souza, a conservative
2615 activist convicted of lying to Federal authorities and
2616 defrauding the Federal Elections Committee.

2617 What do these individuals have in common other than
2618 popularity in certain conservative circles? They have all
2619 in one way or another lied to Federal investigators or
2620 otherwise refused to cooperate with a Federal investigation.
2621 Taken against this pattern, the President's comments about
2622 the pardon power are particularly troubling. Specifically,
2623 President Trump has indicated a willingness to pardon
2624 individuals, including perhaps himself, in order to obstruct
2625 the work of the special counsel.

2626 He has declared via tweet, "As has been stated by
2627 numerous legal scholars, I have the absolute right to pardon
2628 myself? But why would I do so when I have done nothing
2629 wrong?" On the same day that a Federal judge revoked Paul
2630 Manafort's bail on allegations that Mr. Manafort, the
2631 President's former campaign manager, had attempted to
2632 influence the testimony of two key witnesses, the
2633 President's new lawyer, Rudy Giuliani, assured the
2634 President's supporters that they should not have to worry.
2635 He said, "When the whole thing is over things might get

2636 cleaned up with some presidential pardons." This seems to
2637 be inviting perjury or obstruction.

2638 Earlier this month, every Democratic member of this
2639 committee wrote to White House counsel Don McGann requesting
2640 information related to the Trump administration's view of
2641 the pardon power. As is too often the case, the
2642 administration has ignored our requests. We have also
2643 written to the chairman three times to ask for hearings on
2644 the pardon power. Again, as is too often the case, the
2645 chairman has ignored these requests as well.

2646 I urge my colleagues to support the Lieu-Pascrell
2647 resolution, because this information is critical to our
2648 ability to do our jobs. I believe that if we do not demand
2649 this information now, if we do not push back even a little
2650 bit when the President threatens to pardon himself, then we
2651 will have set ourselves up for a constitutional crisis in
2652 the days to come.

2653 And I know that this request for information is
2654 reasonable, because I have reviewed the transcript of the
2655 last time Judiciary Committee Republicans discussed the
2656 pardon power back in 2001 when, despite our political
2657 differences, we all agreed that the discussion was a public
2658 service.

2659 Mr. Chairman, in 2001, in a hearing of the Constitution
2660 Subcommittee you had this to say about the pardon power:

2661 "Many executives have the pardon power for the purpose of
2662 accomplishing justice or mercy is a last resort where
2663 fairness simply has not taken hold in other aspects of our
2664 judicial process. However, I believe the immediate past
2665 President, Mr. Clinton, has abused this power and has not
2666 used it for the purposes that I and others here today have
2667 described."

2668 You continued, "I agree with those who say there is
2669 probably nothing the Congress can do to overturn those
2670 pardons. I would be interested in hearing from the panel
2671 what recourse law enforcement and others might have if the
2672 power were abused in a criminal fashion. If there is indeed
2673 proof of a quid pro quo, I presume everybody involved could
2674 be prosecuted under our laws."

2675 So, in closing, Mr. Chairman, let me borrow your
2676 sentiment from that hearing. I believe that the current
2677 President has abused the pardon power and threatens to abuse
2678 it further. I agree with those who say that there is
2679 probably nothing the Congress can do to overturn those
2680 pardons, though I believe the courts may have something more
2681 to say about Joe Arpaio.

2682 Nevertheless, I would be interested in information that
2683 may aid us in our oversight responsibilities. If there is
2684 indeed proof of criminal activity here, including but not
2685 limited to evidence of obstruction of justice, then I

2686 presume everybody involved, as you said, could be prosecuted
2687 under our laws. I urge my colleagues -- all of my
2688 colleagues, especially those who were recently concerned
2689 about transparency -- to support this resolution. It is as
2690 important now as it was back when the chairman wanted
2691 information in the same subject. I thank the chairman. I
2692 yield back.

2693 [The prepared statement of Mr. Nadler follows:]

2694 ***** COMMITTEE INSERT *****

2695 Chairman Goodlatte. The chair thanks the gentleman.
2696 The committee will stand in recess until immediately after
2697 this series of votes.

2698 [Recess.]

2699 Chairman Goodlatte. The committee will reconvene.
2700 Prior to recess, we had the chairman and ranking member give
2701 their opening statements on the resolution offered by the
2702 gentleman from California. I indicated to the gentleman
2703 from California that I would recognize him next. We will
2704 then entertain an amendment in the nature of a substitute.
2705 But the gentleman is recognized first.

2706 Mr. Lieu. Thank you, Mr. Chair. Before I talk about
2707 this resolution of inquiry importance, I want to say I watch
2708 with great interest the majority's action this morning on
2709 this committee. I believe to be consistent the majority now
2710 would need to open a hearing tomorrow of FBI agent Peter
2711 Strzok to the public. I think Agent Strzok should testify
2712 under oath in full view of the American people and answer
2713 questions from us. I do not think the majority should hide
2714 his testimony from the American people. And I request that
2715 FBI Agent Strzok's testimony tomorrow be open to the
2716 American public and not closed by the majority.

2717 Chairman Goodlatte. If the gentleman would yield, I
2718 just would like to say in response to that, that Mr. Strzok
2719 is going to definitely be afforded the opportunity to

2720 testify before this committee in public and not to short
2721 order. And as we have with a number of other witnesses to
2722 this point, they have been interviewed in private, which is
2723 what we will do here. But in his case, we have already
2724 indicated that we will have a public hearing as well.

2725 Mr. Lieu. Thank you, Mr. Chair. Now, in terms of
2726 pardons, I am a former prosecutor and I have written a
2727 number of letters for pardons and clemency and commutations
2728 because I believe it vindicates two of society's most
2729 cherished values, justice and mercy. Unfortunately, the
2730 current President has perverted those values. And instead,
2731 granted pardons to people who are celebrities or who have
2732 access to celebrities, or who are otherwise rich and
2733 powerful. That is not how pardons should be done.

2734 This is why we are requesting information about
2735 pardons. The entire purpose of the pardon power is to
2736 enhance the rule of law, not to undermine it. And if you
2737 look at the pardons that this President has granted, he has
2738 done it impulsively without paying attention to the
2739 Department of Justice's Office of the Pardon Attorney.

2740 So, here are some factors that the Department of
2741 Justice laid out to vindicate these values of the rule of
2742 law, justice, and mercy. Factors such as post-conviction
2743 conduct, character, and reputation, seriousness and relative
2744 recentness of the offense, acceptance of responsibility,

2745 remorse, and atonement. Many of the folks that this
2746 President pardoned have not shown any remorse, nor
2747 acceptance of responsibility, nor atonement.

2748 Even though I was not on this committee in 2015, I do
2749 agree with what the majority of this committee wrote on July
2750 24th. They stated, "As members of the Judiciary Committee,
2751 which oversees the Department of Justice, including the
2752 functions performed by the Office of the Pardon Attorney, we
2753 are deeply concerned that the President continues to use his
2754 pardon power to benefit specific classes of offenders or for
2755 political purposes."

2756 Had I been on the committee then and there was a
2757 resolution of inquiry for information on pardons, I would
2758 have supported it, just as I hope the majority supports this
2759 resolution of inquiry today. The American public have a
2760 right to know what the President is basing this awesome
2761 power of pardon on.

2762 I also do want to note that I am pleased and honored to
2763 have introduced this resolution with my good friend,
2764 Congressman Pascrell. And we both believe that the way that
2765 this President is executing the pardon power is perverting
2766 its purpose and undermining the rule of law. And with that,
2767 I request an aye vote and I yield back.

2768 Chairman Goodlatte. The chair thanks the gentleman. I
2769 now recognize myself for purposes of offering an amendment

2770 in the nature of a substitute. And the clerk will report
2771 the amendment.

2772 Ms. Adcock. Amendment in the nature of a substitute to
2773 H. Res. 928, offered by Mr. Goodlatte. Strike all that
2774 follows after --

2775 Chairman Goodlatte. Without objection, the amendment
2776 will be considered as read. And I will recognize myself to
2777 explain the amendment. I am offering this substitute
2778 amendment to House resolution 928 --

2779 Ms. Lofgren. Point of order, Mr. Chairman. We do not
2780 have the amendment.

2781 Chairman Goodlatte. The committee will suspend until
2782 the amendment is distributed. All right. I am advised that
2783 the amendment should be at everybody's desk already.

2784 Ms. Lofgren. Thank you, Mr. Chairman.

2785 Chairman Goodlatte. I am offering this substitute
2786 amendment to House resolution 928 for two reasons. First,
2787 it makes a small change to one of the clauses in the
2788 resolution that makes that clause more consistent with the
2789 resolution's other clauses.

2790 Second, as I explained when I offered my substitute
2791 amendment on the Meadow's resolution, offering this
2792 substitute amendment preserves the majority's ability to
2793 ensure that the markup of this resolution proceeds smoothly
2794 and without dilatory tactics. By offering this substitute

2795 amendment, the majority is reserving the right to exercise
2796 its ability to move the previous question.

2797 Let me be clear. I do not believe that we will need to
2798 exercise this procedural motion. I intend to give members
2799 sufficient time to debate this resolution. However,
2800 offering this substitute preserves the ability to exercise
2801 this motion should the need arise.

2802 Are there any amendments to the amendment?

2803 The question occurs. A reporting quorum being present,
2804 the question is on the motion --

2805 Ms. Lofgren. Mr. Chairman? I move to strike the last
2806 word.

2807 Chairman Goodlatte. The gentlewoman is recognized for
2808 5 minutes.

2809 Ms. Lofgren. Now, I have got this amendment in the
2810 nature of a substitute and --

2811 Chairman Goodlatte. We can vote on it first. You are
2812 right.

2813 Ms. Lofgren. Correct. Now, am I to understand that it
2814 is your intention that the President and the Attorney
2815 General should provide this information about Mr. Cohen, Mr.
2816 Manafort, Mr. Gates --

2817 Chairman Goodlatte. Would the gentlewoman yield?

2818 Ms. Lofgren. Yes.

2819 Chairman Goodlatte. As I indicated at the beginning of

2820 consideration of this bill, it is our intention to report
2821 this bill unfavorably to the House.

2822 Ms. Lofgren. And so essentially, you are offering this
2823 for procedural reasons?

2824 Chairman Goodlatte. In part.

2825 Ms. Lofgren. I thank the gentleman for clarification.
2826 And I yield back.

2827 Chairman Goodlatte. Are there any amendments to the
2828 amendment in the nature of a substitute? The question
2829 occurs --

2830 Mr. Raskin. Mr. Chairman.

2831 Chairman Goodlatte. For what purpose does the
2832 gentleman from Maryland seek recognition?

2833 Mr. Raskin. I have an amendment at the desk.

2834 Chairman Goodlatte. The clerk will report the
2835 amendment.

2836 Mr. King. Mr. Chairman?

2837 Chairman Goodlatte. For what purpose does the
2838 gentleman from Iowa seek recognition?

2839 Mr. King. To reserve a point of order.

2840 Chairman Goodlatte. Point of order is reserved.

2841 Ms. Adcock. Amendment to the amendment in the nature
2842 of a substitute to H. Res. 928, offered by Mr. Raskin. Add
2843 at the end the following: Any review by the Department of
2844 Justice of existing statutes related to protecting elections

2845 from foreign influence and related communications with the
2846 Executive Office of the President; any communication in
2847 memorandum between the Executive Office of the President and
2848 the Department of Justice directing or related to the
2849 Federal Bureau of Investigation to blunt the Russian efforts
2850 to interfere in 2018 midterm elections; any communication or
2851 memorandum between the Department of Homeland --

2852 Chairman Goodlatte. Without objection, the amendment
2853 is considered as read, and the gentleman is recognized for 5
2854 minutes on his amendment.

2855 Mr. Raskin. Mr. Chairman, thank you very much. I am
2856 afraid that the resolution that was approved earlier could
2857 provoke a constitutional crisis. It seems as if it is
2858 demanding information from the Department of Justice which
2859 we all well know the Department of Justice cannot and will
2860 not turn over to Congress because it involves an ongoing
2861 criminal and counter intelligence investigation. And so, it
2862 would set the stage for some kind of confrontation, either
2863 between Congress and the Department of Justice or the
2864 President and the Department of Justice; and I think it is a
2865 very dangerous road to go down.

2866 But it does raise the serious question of the security
2867 of the American electoral system. It has been 2 years now
2868 since Vladimir Putin and Russian agents conducted a sweeping
2869 assault on the 2016 American presidential election, as

2870 determined by our own intelligence agencies. Russia not
2871 only executed a massive social media propaganda and
2872 disinformation campaign to divide and polarize American
2873 society, working with Cambridge Analytica and using Facebook
2874 to inject poison into our body politic.

2875 Russian agents not only hacked directly into America's
2876 political institutions, including the Democratic National
2877 Committee. And then after these acts of cyber espionage
2878 took place, proceeded to conduct a campaign of cyber
2879 sabotage by staging selective leaks of specific emails in
2880 order to redirect the flow of the presidential campaign in
2881 order to disrupt the Democrats.

2882 But Russia also sought to probe for technological
2883 vulnerabilities and weaknesses through cyber attacks
2884 targeting the voting systems of 21 States, including my home
2885 State of Maryland where a cyber probe was conducted by the
2886 Russians.

2887 Now, this amendment asks for information from the
2888 Department of Justice dealing with what has taken place in
2889 order to insulate our electoral system against attack again
2890 by Russian agents in the 2018 election. We have been warned
2891 repeatedly by intelligence agencies of the United States
2892 that they are very likely to continue their attack on the
2893 American electoral system and we know that other bad actors
2894 will have been encouraged by the relative passivity of

2895 Congress and the Department of Justice in the wake of this
2896 unprecedented and sweeping assault on America's electoral
2897 institutions.

2898 So, this amendment asks for communication and memos
2899 relating to anything being done to protect our elections
2900 from foreign influence; anything being done to blunt Russian
2901 efforts to interfere in the 2018 election; anything related
2902 to any other foreign government's efforts to interfere in
2903 the 2018 election; anything related to efforts to detect
2904 hacking and to support the insulation of our critical
2905 infrastructure, including elections for 2018; anything
2906 related to information technology breaches that have taken
2907 place of critical infrastructure and any attempts to guard
2908 against breaches of critical electoral infrastructure; and
2909 then any efforts that are being undertaken by the government
2910 to counter, again, propaganda and disinformation campaigns,
2911 the kind which undermined the electoral process in 2016.

2912 We know that it was a three-pronged assault on the
2913 American electoral system. The first was a propaganda
2914 campaign conducted through Facebook, Twitter, and other
2915 social media in order to divide America, to polarize
2916 America, to inject propaganda into our country to turn
2917 Americans against each other.

2918 The second was there was a campaign of cyber espionage
2919 against our essential political institutions, including the

2920 Democratic National Committee, in order to hack into
2921 computers, in order to go through people's private emails
2922 and correspondence, and then to stage a campaign of leaks in
2923 order to control and redirect the flow of events in the 2016
2924 campaign.

2925 And finally, there was an effort directly to go into
2926 the electoral infrastructure of the States. And more than
2927 20 States were hit by that, including my State of Maryland.

2928 So, we need to know what is being done to prevent a
2929 return of these tactics against us in 2018. The
2930 intelligence agencies, which determined in January of 2017
2931 that we were the subject of this thorough-going assault on
2932 our institutions, have warned us repeatedly that they are
2933 coming back again.

2934 And so, if we are actually going to go on a fishing
2935 expedition with the Department of Justice, let's at least
2936 find out what is being done to preserve American democracy.
2937 I yield back.

2938 Mr. King. Mr. Chairman?

2939 Chairman Goodlatte. Does the gentleman from Iowa
2940 insist on his point of order?

2941 Mr. King. Mr. Chairman, I insist on my point of order.

2942 Chairman Goodlatte. The gentleman may proceed.

2943 Mr. King. Thank you, Mr. Chairman. In reviewing this
2944 amendment offered by Mr. Raskin and others and looking at

2945 the underlying bill and the substitute amendment, the
2946 substitute amendment, in particular, deals with pardons and
2947 the President's power to pardon, and it references that
2948 power of pardon multiple times throughout the substitute
2949 amendment, at least 6 on a quick look through here. It is
2950 about pardoning. And it is about the power to pardon.

2951 This amendment is not relevant to it in any way that I
2952 can see. It looks like it is a fishing expedition that is
2953 trying to get in to the executive privilege of the President
2954 of the United States and topics that are not relevant to the
2955 underlying amendment. And it deals with elections, foreign
2956 influence on elections, FBI information, the Russian
2957 efforts, Department of Homeland Security, Department of
2958 Justice, Federal Bureau of Investigation Foreign Influence
2959 Task Force, any communication, or memorandum, or guidance
2960 related to an agency-wide executive order, on down the line.

2961 Critical infrastructure. Election infrastructure. I
2962 could go on. But there is no reference to pardon whatsoever
2963 in this amendment offered by Mr. Raskin. And so, I think it
2964 is clear that it is out of order. I insist on my point of
2965 order, and I yield back the balance of my time.

2966 Chairman Goodlatte. The chair thanks the gentleman.
2967 Does the gentleman from Maryland wish to address the issue
2968 of the point of order?

2969 Mr. Raskin. Yes. I think that the gentleman's

2970 argument is misplaced here. What we are doing with the
2971 gentleman's resolution from California -- and I would love
2972 to have him speak to this question as well, as well as
2973 everything else that is happening today -- is we are
2974 receiving information from the Department of Justice about a
2975 sequence of events that began with the 2016 campaign.

2976 And of course, there are allegations related to pardons
2977 that these are attempts to establish an object lesson for
2978 people who will refuse to participate in the investigation
2979 of what happened in the 2016 campaign. So, it is a tangled
2980 web that has been woven by the White House, but also by the
2981 committee today.

2982 So, all of these things are completely integrally
2983 related to each other. We need to know not only what
2984 happened in the 2016 election, which we are asking for here,
2985 but what is about to happen to us in 2018. And I am
2986 delighted I have been joined in this amendment by Mr.
2987 Schneider and by Ms. Demings. And I hope that they will
2988 speak to its absolute relevance to what we are doing here
2989 today, which is to determine what kind of justice are we
2990 getting from the Department of Justice.

2991 Chairman Goodlatte. Would the gentleman care to yield
2992 to them before I rule on the gentleman's point of order?

2993 Mr. Raskin. Please, if I could yield to Mr. Schneider?

2994 Mr. Schneider. Thank you. And I join with Mr. Raskin

2995 and Ms. Demings in offering this important amendment. As it
2996 is related, I do believe there is a connection here. The
2997 issue of pardons is a concern and the ability to get to a
2998 full understanding of what has happened in our past
2999 election.

3000 The most important reason to understand how to defend
3001 our future elections. Every American in this country, every
3002 voter, has to have confidence in the integrity of their
3003 vote, has to have confidence that the machines that are
3004 going to collect and gather all of the votes and report them
3005 are going to report them accurately. Not under influence or
3006 hacking of an outside foreign group or otherwise. It is
3007 important that we have that understanding. And I think it
3008 is important that we have this information. And that is why
3009 I think we need to continue to push on this amendment. And
3010 I yield to Ms. Demings.

3011 Ms. Demings. Thank you so much, Mr. Chairman. And I
3012 am actually delighted to join my colleagues, Mr. Raskin and
3013 Mr. Schneider in support of this amendment. We certainly
3014 know, especially on this committee, how important the right
3015 to vote is. We know especially -- or we should know -- on
3016 this committee that people of both colors, black and white,
3017 suffered, bled, and died for folks to have the right to
3018 vote.

3019 We also know, and we certainly should be sure of on

3020 this committee, that Russia interfered with the 2016
3021 election, and we should not stop until we get to the bottom
3022 of it. We should use every tool within our authority and
3023 within our power to make sure we know exactly what Russia
3024 did to interfere with our election, who participated in that
3025 process, and come up with a system that will prevent
3026 interference from Russia or any other entity that would try
3027 to violate this very precious and very basic right.

3028 So again, Mr. Chairman, I am honored to join my
3029 colleagues. And I ask for all of our colleagues on this
3030 committee to support this amendment.

3031 Mr. Raskin. Thank you. And if I could, Mr. Chairman,
3032 I would like to yield a minute to Mr. Lieu, whose resolution
3033 it is, to discuss the germaneness of my amendment.

3034 Mr. Lieu. Thank you. I believe this amendment is
3035 absolutely germane. Had I been as smart as my colleague,
3036 Mr. Raskin, I would have included it in my resolution. And
3037 I ask for an aye vote on it and I yield back to Mr. Raskin.

3038 Mr. Raskin. Mr. Chairman, I do not know if you have
3039 any questions about it. I have got high esteem for your
3040 judgment of the germaneness of amendments. I certainly
3041 agreed with your ruling before that was overruled by members
3042 of your party. But this, to me, strikes me as perfectly
3043 germane to what we are trying to do here, which is to obtain
3044 information from the Department of Justice about what

3045 happened in the 2016 election and what we need to do in
3046 order to insulate America from foreign attack in the 2018
3047 election.

3048 Chairman Goodlatte. I thank the gentleman's confidence
3049 in my ruling, but this amendment is not close to being
3050 germane under the rules. And therefore, I am accordingly
3051 finding it to be not in order and upholding the point of
3052 order.

3053 Mr. Raskin. And Mr. Chairman, if I might? But I would
3054 just say I am going to accept the ruling of the chair. I
3055 have profound respect for your perception of what is germane
3056 and what is not. And I think it would be a good thing if
3057 all of us respect the rulings of the chair rather than
3058 overthrow the rulings of the chair just when it happens to
3059 obstruct a partisan agenda. And I yield back.

3060 Chairman Goodlatte. Are there further amendments?

3061 Mr. Johnson of Georgia. Mr. Chairman?

3062 Chairman Goodlatte. Are there further amendments to
3063 the amendment in the nature of a substitute? For what
3064 purpose does the gentleman from Georgia seek recognition?

3065 Mr. Johnson of Georgia. I move to strike the last
3066 word.

3067 Chairman Goodlatte. The gentleman is recognized for 5
3068 minutes.

3069 Mr. Johnson of Georgia. I rise in opposition to the

3070 amendment in the nature of a substitute and in support of
3071 the resolution which seeks to protect America from the slow
3072 but systematic erosion of our Constitution and its
3073 principals by the current President, who seems to be
3074 hellbent on ignoring notions of fair play and justice.

3075 Article II, section 2 grants the President the ability
3076 to pardon. But most presidents -- in fact, all Presidents
3077 since 1865, when the Office of the Pardon Attorney was
3078 established, 1865 -- all Presidents have respected that
3079 process, whereby applications for pardons and commutations
3080 are first submitted to the Office of the Pardon Attorney,
3081 that organization receives the requests or applications. It
3082 then investigates, reviews, makes recommendations to the
3083 President and the President then acts on those
3084 recommendations.

3085 That is the process that we have followed in this
3086 country since 1865. And in 1870, the clerk of pardons was
3087 an official office that was established after the Office of
3088 the Pardon Attorney in 1865. And then 1891, we had the
3089 attorney in charge of pardons who would replace the clerk of
3090 the office of the pardons.

3091 And so, we have a long history in this country of using
3092 the Office of the Pardon Attorney to consider applications.
3093 And in that way, the President has shielded himself from
3094 being alleged to have used the pardon power in a way that

3095 would benefit only friends and political supporters. Now,
3096 that process has been turned on its head by this President.

3097 This president has already granted five pardons and two
3098 commutations while in office, not using the Office of the
3099 Pardon Attorney to make the recommendations because they
3100 have all been made to the President directly and not through
3101 that office.

3102 In addition, the President has used recommendations
3103 from the Office of the Pardon Attorney to deny 98
3104 commutations and 82 pardon requests. So, he does understand
3105 that there is an Office of the Pardon Attorney; in fact, he
3106 has appointed an interim pardon attorney back in August of
3107 2017. The acting pardon attorney. But yet, he ignores the
3108 process and insists on using the pardon power to send
3109 messages to the Mueller investigation and to send messages
3110 to potential witnesses of that investigation or in that
3111 investigation, thus in an attempt to thwart the aim of the
3112 investigation, which is to get at the truth.

3113 And that brings me to last point which is the
3114 resolution that just passed in this body, Republicans
3115 seeking to thwart the investigation by investigating the
3116 investigation of President Trump. That is unprecedented,
3117 unwise, unnecessary, and the only reasonable explanation for
3118 it that the American people can see is that this body wants
3119 to obstruct the investigation into President Trump's

3120 possible involvement and collaboration with Russians in the
3121 2016 presidential election.

3122 So, we are aiding and abetting President Trump's abuse
3123 of the pardon power while trying to shield him from an
3124 investigation. Instead of using our opportunity and our
3125 responsibility as a committee to investigate the 2016
3126 elections and the Russian influence on that election, we
3127 have seen fit only to thwart that investigation. And Mr.
3128 Chairman, I think history will judge this committee harshly
3129 for its role in the erosion of our constitutional --

3130 Chairman Goodlatte. The time of the gentleman has
3131 expired. For what purpose does the gentlewoman from Texas
3132 seek recognition?

3133 Ms. Jackson Lee. Move to strike the last word.

3134 Chairman Goodlatte. The gentleman is recognized for 5
3135 minutes.

3136 Ms. Jackson Lee. Just to thank Mr. Lieu for his
3137 resolution. I thought it was thoughtful and it is
3138 unaggressive. It is nonpartisan. It is not bipartisan .
3139 It is not partisan. It is actually an act to improve
3140 government and to understand how the use of a very important
3141 constitutional power is being utilized by the present
3142 administration.

3143 As remarks were made in the opening statement, Mr.
3144 Chairman, there was some surprising reflections. Because at

3145 the time we were in the midst of a unified view about the
3146 importance of individuals who had been maimed, if you will,
3147 by excessive sentencing. That they would have the
3148 opportunity, not the guarantee, to subject themselves to a
3149 commutation process or a pardon process.

3150 My recollection is that there was a massive team of
3151 individuals -- lawyers in the DOJ -- that vigorously vetted
3152 each and every one of the individuals that might have
3153 experienced a commutation or a pardon on the basis of long
3154 sentencing. There was also the vetting to determine that if
3155 the person's initial actions were such that they would fall
3156 in the description of using more extreme forms, whether it
3157 was a gun or otherwise, that if they were even to be
3158 recommended, meaning for a review, they were vetted
3159 extensively.

3160 And the idea was to meet the cries of the faith
3161 community, to meet the cries of the social justice
3162 community, to meet the cries of Republicans, to meet the
3163 cries of Democrats about the idea of individuals who were
3164 incarcerated for a period of time, what all of us have come
3165 to understand that in our rush committed some unfairness in
3166 sentencing. Even the U.S. Sentencing Commission has tried
3167 to work extensively on these issues.

3168 I think it is important to note that in all of those
3169 commutations, as was evidenced by newspaper reports, even

3170 noting the number of commutations, no one was able to report
3171 that any of those commutations benefited either the
3172 President of the United States, his family, First Lady, or
3173 anyone that was close to the President, and when I say that
3174 -- President Obama.

3175 I do not even believe these sentences or commutations
3176 were messaging. They were not messaging. They were simply
3177 looking to find and to make sure that if someone was
3178 eligible that they would be vetted extensively and have the
3179 ability for a fair, unbiased commutation. In the instance
3180 they happened to be individuals who have been caught up in
3181 the criminal justice and drug atmosphere.

3182 Interestingly enough, in 2017 and 2018 we wrapped
3183 ourselves around major legislation dealing with the opioid
3184 crisis. Our emphasis has been treatment and not
3185 incarceration. In fact, uniquely, this Judiciary Committee
3186 sent the first almost noncriminal bill out dealing with
3187 drugs. We passed a noncriminal and nonsentencing bill on
3188 opioids. So, I think the record should be made clear that
3189 the pardons of the previous administration in particular,
3190 those who came toward the end of Mr. Obama's term. Well-
3191 vetted, and they were dealing with a particular ill, which
3192 is what pardoned about. Commutation is mercy.

3193 And I think the gentleman from California's very
3194 thoughtful resolution is to determine the basis and the

3195 further use of the pardon power since, as has been already
3196 evidence, those who have been noted, those pardons, did not
3197 go through the normal process. And we all know, that the
3198 President has indicated that he can pardon himself, or
3199 pardon anyone.

3200 And so this is a fair resolution that asks a simple
3201 question of oversight, which I think is the fair obligation
3202 of this committee. I yield back.

3203 Chairman Goodlatte. I am going to have to go to this
3204 side. I did not realize we has someone speak over here.
3205 So, the gentleman from Texas is recognized for 5 minutes.

3206 Mr. Gohmert. Thank you. Thank you, Mr. Chairman.
3207 After hearing some of my colleagues across the aisle
3208 continue to bring up the Russia investigation, I thought it
3209 would be important to get this information into the record
3210 for this hearing, so future generations can understand where
3211 the real problems lay.

3212 This is an article by Chuck Ross, June 21, regarding
3213 Senate hearings that were being held. The article reads,
3214 "Former President Barack Obama's cybersecurity czar
3215 confirmed Wednesday that former National Security Advisor
3216 Susan Rice told him to "stand down," in response to Russian
3217 cyberattacks during the 2016 Presidential campaign.

3218 Michael Daniel, whose official title was Cybersecurity
3219 Coordinator, confirmed the stand-down order during a Senate

3220 Select Committee on Intelligence hearing held to review the
3221 Obama and President Donald Trump's administration's policy
3222 response to Russian election interference. Rice's order --
3223 and that's Susan Rice -- "Susan Rice's order to Daniel was
3224 first reported in *Russian Roulette*, a book published in
3225 March, that details Russia's meddling in our election.

3226 In the book, Authors Michael Isikoff and David Corn
3227 reported that Daniel was developing strategies to respond to
3228 Cybersecurity attacks on U.S. companies and political
3229 campaigns. He proposed using what is known as denial of
3230 service attacks to take down Russian propaganda news sites
3231 and to attack Russian intelligence agencies.

3232 Another idea was to announce a bogus cyber exercise
3233 against a Eurasian country. The goal was to put the Kremlin
3234 on notice, that its infrastructure could easily be targeted
3235 by the U.S.

3236 Susan Rice opposed the proposals. "Do not get ahead of
3237 us," she told Daniel in a meeting in August 2016. Daniel
3238 informed his staff of the order, much to their frustration.
3239 "I was incredulous and in disbelief," Daniel Prieto, who
3240 worked under Daniel is quoted as saying, "Why the hell are
3241 we standing down, Michael? Can you help us understand?"
3242 Prieto asked.

3243 Daniel confirmed the exchange on Wednesday during a
3244 round of questions from Idaho Senator Jim Risch. "That is

3245 an accurate rendering of the conversation at the staff
3246 meeting," he testified. "You were told to stand down, is
3247 that correct?" Risch, a Republican asked Daniel. "Those
3248 actions were put on the backburner, yes, that was not the
3249 focus of our activity during that time period," Daniel
3250 replied.

3251 He noted the White House Cybersecurity Team did
3252 continue working to respond to Russia, but with a smaller
3253 staff and a less aggressive approach. "It's not accurate to
3254 say that all activity ceased at that point," he said,
3255 declining to describe the activities in an unclassified
3256 hearing."

3257 So, Mr. Chairman, perhaps my colleagues on the other
3258 side of the aisle are right. Perhaps, we need to
3259 investigate what happened with the Russian efforts in the
3260 election and, whether or not, President Obama was colluding
3261 with the Russians to prevent -- and perhaps, Susan Rice, and
3262 she is preventing American investigation into Russian
3263 efforts to affect our election. So, it is really a mystery,
3264 and it appears that according to Susan Rice's instructions,
3265 maybe the focus of the Russian investigation is on the wrong
3266 investigation.

3267 Mr. Cohen. Will the gentleman yield?

3268 Mr. Gohmert. I will yield back, I have heard enough.

3269 Thank you.

3270 Chairman Goodlatte. For what purpose does the
3271 gentleman from Tennessee seek recognition?

3272 Mr. Cohen. Thank you, sir. Strike the last word.

3273 Chairman Goodlatte. Gentleman is recognized for 5
3274 minutes.

3275 Mr. Cohen. I want to thank Mr. Lieu for bringing this
3276 to our attention. I filed H. Res. 120 some time ago, which
3277 would amend the Constitution -- it is in this committee.
3278 It would amend the Constitution to say that the President
3279 cannot pardon himself or herself; not pardon a member of
3280 their administration, a member of their campaign team, or
3281 one of their family members. That's because, in each of
3282 those instances the President would have a direct role in
3283 protecting him or herself and there would be a conflict of
3284 interest.

3285 Pardon power clearly is one that should be used only in
3286 limited circumstances. People mention Federalist Paper 74,
3287 and I think there is some Federalist Paper where Mr. Madison
3288 tells -- maybe it was Mr. Hamilton, if there is a pardon
3289 effort by President that goes too far, that impeachment is
3290 the answer. Better that we have a Constitution that
3291 recognizes the problems of pardon in those areas which clear
3292 conflicts of interest would pose.

3293 The President should be like Caesar's wife, or more
3294 like maybe Caesar, in that they should be beyond reproach.

3295 And in these circumstances, there is an inherent conflict
3296 and the President cannot be beyond reproach when he is
3297 dealing with family members, administration members,
3298 campaign team, or himself.

3299 So, Mr. Lui's inquiry would give us information that we
3300 could use to see if whether H. Res. 120 is something we
3301 should pursue. If the President has had discussions on
3302 pardoning any of these individuals, and all but one of them
3303 would fall in those classes that are mentioned in H. Res.
3304 120.

3305 There is a distinct difference, as Ms. Jackson Lee has
3306 made clear in the pardons that President Obama issued and
3307 those that are discussed here, in that President Obama, to
3308 the best of anybody's knowledge, did not know any of those
3309 individuals and it was done in a manner which I encouraged
3310 him to do over the last 3 or 4 years of his administration,
3311 and he went slower and more methodically than he should
3312 have, I believe, because he probably should have commuted
3313 four or five times as many people. He only considered
3314 people who had served at least 10 years of a sentence. And
3315 if you had served 1 day, and your sentence was too long, it
3316 should have been commuted.

3317 But he only got around to doing about 2000. He did not
3318 know anybody. There were no conflicts. It was done with
3319 the idea of justice and mercy.

3320 Under President Trump, only one person, a lady from my
3321 district, who I supported her commutation, Mary Ellis
3322 Johnson, has received a pardon, or commutation, from this
3323 President, who was in jail for a drug crime. And it was all
3324 those things that the chairman mentioned, a drug crime that
3325 was a conspiracy, that was involved with the kingpins and
3326 there was lots of cocaine and crack. But she did not get
3327 out based on some methodical and objective criteria.

3328 She did just the opposite of what President Trump
3329 dislikes with our visa system: she won the lottery. But the
3330 lottery was rigged. Because, she got the attention of Kim
3331 Kardashian. So, it was a rigged system. Kim Kardashian,
3332 with a good heart, but not a lot of appreciation of a system
3333 of justice that judges people based on their criteria of
3334 their sentence or their incarceration, but simply on her
3335 heartfelt sympathies for Ms. Johnson, came and allowed her
3336 to win the lottery and have her sentence commuted.

3337 That is not what Trump talks about on the visas. It
3338 should not be a lottery. It should not be a rigged system.
3339 But he rigged the system. She went to the head of the
3340 class, and she got commutation. She should have got it, but
3341 so should have 10,00 other people. Jared Kushner knows
3342 that.

3343 That is one thing he does know other than 666 5th Avenue
3344 is a pit hole for putting money in to keep something going

3345 that was one of the worst real estate purchases in the
3346 history of the United States. It is amazing. Not since the
3347 Indians sold Manhattan, has there been such a bad real
3348 estate deal consummated in Manhattan. And now he has been
3349 bailed out by Middle Eastern money, which should make all of
3350 us wonder about what is going on with our President. I
3351 yield back the balance of my time.

3352 Chairman Goodlatte. For what purpose does the
3353 gentleman from Florida seek recognition?

3354 Mr. Gaetz. Strike the last word.

3355 Chairman Goodlatte. Gentleman is recognized for five
3356 minutes.

3357 Mr. Gaetz. Thank you, Mr. Chairman. And with so much
3358 discussion of the pardon power, I was interested in learning
3359 its origin and the nature of the debate that occurred among
3360 our Founding Fathers on the question, and actually, there
3361 was no question to the absoluteness of the pardon power.
3362 The question was whether or not that power should be
3363 exercised at the Federal level, or among the several States.
3364 It was Alexander Hamilton, who believed the President ought
3365 to have Federal pardon power. It was, I believe, Jefferson,
3366 who argued for that power at the States.

3367 Which is interesting to me, because our Founding
3368 Fathers were so skeptical of the absoluteness of any power
3369 that was maintained by the King of England. And so to bring

3370 that over to these new United States seemed odd and abstract
3371 to me.

3372 What I learned is that the graciousness and
3373 absoluteness of the pardon power was not in question. And,
3374 actually, the pardon power was first used in the seventh
3375 century by King Ain of Wessex. And, the reason the King
3376 used the Pardon power was that the courts that had been set
3377 up by the King, had been deemed so unjust by the people,
3378 that they had gotten such poor rulings out of their courts,
3379 that if the King did not have the power to pardon people and
3380 relieve them of punishment, there was a fear that the
3381 regime, itself, could be in jeopardy. Because there would
3382 be a rising up by the people. And so I find that
3383 particularly instructive in these times.

3384 I look at a judicial system that is becoming
3385 excessively entangled in the activities of the executive.
3386 The Constitution lays out that the conduct of the sitting
3387 President is the purview of the Congress. We have the
3388 exclusive power to impeach or not to impeach. When Donald
3389 Trump is done being President, Article III Courts can have
3390 at him in my view, but there is no constitutional basis for
3391 Article III Courts to have this jurisdiction.

3392 And so I think one could reasonably argue that in order
3393 to restore the balance that exists and to preserve Article I
3394 Powers to oversee the conduct of the President that the

3395 President would have the power to pardon himself and might
3396 need to in fact use that power for the very purpose that the
3397 pardon was contemplated, to ensure that we do not have such
3398 corruption and such bias in the Judicial branch such that
3399 that does not permeate and lead people to revolt against a
3400 system that they believe is corrupt.

3401 This is the reason why the pardon power exists. It is
3402 the reason why our Founding Fathers universally accepted the
3403 absolute nature of the pardon power, and I believe it would
3404 be improper for our committee to impair that. I yield back.

3405 Mr. Chabot. Would the gentleman yield?

3406 Mr. Gaetz. Certainly.

3407 Mr. Chabot. I thank the gentleman for yielding. I
3408 wanted to follow up on some of our colleagues on the other
3409 side of the aisle that were, again, referring to the Russian
3410 interference. And I would agree the Russians did attempt to
3411 interfere in our election. And most of us are on multiple
3412 committees. I happen to be on Foreign Affairs Committee,
3413 also.

3414 In fact, I have been on there for 22 years, just like I
3415 have been on this committee. And many of us warned the
3416 previous administration over and over again about just how
3417 aggressive Russia was getting here and around the globe from
3418 Crimea, to annexing that, and the little green men that they
3419 used to do that and a bogus referendum, et cetera, shooting

3420 down literally passenger planes. And essentially we need to
3421 remember that there was another administration that was in
3422 charge when all this stuff was happening, including the
3423 interference.

3424 Donald Trump was a candidate for the Presidency. And
3425 most people, probably on both sides of the aisle, thought
3426 that the other candidate that he was running against was
3427 probably more likely to win, including the President of the
3428 United States at the time, Barack Obama. And the warnings
3429 that many of us talked about with the Russians pretty much
3430 went unheeded, as far as pushing back against Russia, at
3431 that time.

3432 And the President, President Obama that is, at that
3433 time really did poopoo the allegation about interference by
3434 the Russians or outside groups. And I think a lot of that
3435 had to do with the fact that they assumed Hillary was going
3436 to win. And they wanted to legitimize, not delegitimize,
3437 the election, and they really criticized candidate Trump, at
3438 the time, whenever he talked about it being rigged, and
3439 clearly the Democratic Primary was rigged against Bernie
3440 Sanders in Hillary's favor, something that does not get
3441 mentioned, I do not think, nearly enough at this time.

3442 But I think, again, I know the gentleman's time who was
3443 kind enough to yield to me is running out, but I think we
3444 should always remember who was in charge when this Russian

3445 interference occurred. And it was not Donald Trump. It was
3446 the Obama administration, and we should not lose sight of
3447 that. And I thank the gentleman for yielding.

3448 Chairman Goodlatte. The time of the gentleman has
3449 expired. For what purpose does the gentleman from New York
3450 seek recognition?

3451 Mr. Nadler. Strike the last word.

3452 Chairman Goodlatte. Gentleman is recognized for 5
3453 minutes.

3454 Mr. Nadler. Thank you, Mr. Chairman. It is true that
3455 during the last election the Obama administration was in
3456 charge, and it is of historical interest as to whether they
3457 reacted strongly enough or not to assertions of Russian
3458 interference. I am concerned about three things: One, that
3459 we are not doing anything or enough to protect ourselves now
3460 against continuing Russian interference in our next
3461 elections. And that is undeniable. All our intelligence
3462 agencies tell us that. And they tell us they got no
3463 instructions from the White House to do anything about it.

3464 I am concerned about the fact -- and excuse me -- the
3465 allegation that the Trump campaign colluded in a criminal
3466 conspiracy with the Russians to affect the election -- that
3467 remains to be proven. And that is why we have to have an
3468 investigation with integrity. I am concerned about attempts
3469 to quash or sabotage that investigation. We need the facts

3470 on that.

3471 Number three: the pardon power. Now, the President's
3472 pardon power is broad. But, contrary what Mr. Gaetz said,
3473 on the President's power, at the Constitutional Convention,
3474 it was thought that a President that attempted to pardon
3475 himself was inherently corrupt; that was the phrase that
3476 they used.

3477 And there was debate, about the extent of the Pardon
3478 power. James Iredell, who I think was a delegate from
3479 Pennsylvania, raised the question at the Constitutional
3480 Convention, what if a future President -- and they did not
3481 have any Presidents yet -- what if a future President were
3482 to engage in a criminal conspiracy with various people, and
3483 were to pardon his coconspirators? And he was expressing a
3484 concern about the broadness of the pardon power.

3485 He said, "Maybe we ought not to have such a broad
3486 pardon power, because what if a future President conspired
3487 and was part of a criminal conspiracy and used his pardon
3488 power to pardon his coconspirators?" To which Madison
3489 replied, "Oh, that could never happen. Anyone who did that
3490 would be instantly impeached."

3491 So, they saw the impeachment power as a limitation on
3492 the Pardon power. They did not of course anticipate a
3493 subsequent historical events including the rise of political
3494 parties, which have made impeachment not a fairly usual

3495 thing, but an almost unheard of thing. And I am not going
3496 to comment on impeachment, but the fact it is not what they
3497 thought it would be, namely a robust offense against certain
3498 kinds of things. Because it is very difficult to use, more
3499 difficult than they presumed it would be, because they did
3500 not anticipate political parties.

3501 So, the pardon power has to be watched carefully
3502 because what they assumed, what the framers assumed, was a
3503 real limit on it, has not turned out to be a limit, and is
3504 not a limit.

3505 So, I support the resolution of the gentleman from
3506 California. We ought to know more about the pardon power.
3507 The President may have an almost unlimited power to pardon -
3508 - I do not think he can pardon himself. And if he were
3509 proven to pardon coconspirators in a conspiracy in which he
3510 participated, I hope we would do something about that. But
3511 it is still very broad power. And we have to watch it
3512 carefully. And I support the resolution of the gentleman.
3513 I yield to the gentleman from Maryland.

3514 Mr. Raskin. Thank you very much for yielding. I agree
3515 very strongly with what the ranking member has just said.
3516 Even if it is true what the gentleman from Florida has said,
3517 which is that the pardon power is so broad that it is
3518 judicially unreviewable, I agree with that. It does not at
3519 all go to the question of the resolution and what our

3520 institutional role on function is.

3521 The ranking member identifies the critical piece of
3522 constitutional history which is the exchange between Iredell
3523 and James Madison, who said that would clearly be an
3524 impeachable event if there were a conspiracy with the
3525 President to use the pardon in a corrupt way.

3526 I mean, imagine a President whose says, "I am going to
3527 sell pardons." Now, presumably you would not say, "Well
3528 that is just within the pardon power; he gets to do whatever
3529 he wants." No, at that point it is the clearly the
3530 institutional imperative for Congress to get involved, which
3531 is why that the questions that are being asked and the
3532 resolution by Mr. Lieu are simply us fulfilling our
3533 constitutional duty at this point because there appears to
3534 be with a complete overthrow of the pardoned attorney's
3535 office in the Department of Justice and the decision of the
3536 President to make decisions with celebrities or family
3537 members, to pardon this or that person, a complete
3538 demolition of the traditional standards for the pardon.

3539 So, it is within our institutional prerogative and our
3540 function, and I think our obligation to ask questions about
3541 it. And I do not think it is something that should be
3542 partisan. I think that any proud member of congress would
3543 want to stand up for our institutional role in making sure
3544 that there is not a corrupt deployment of the pardon power

3545 by the executive.

3546 Mr. Nadler. Reclaiming my time, I will simply say that
3547 I agree with you gentleman from Maryland, in that it was
3548 envisioned by the framers that Congress would in some
3549 senses, not supervise, but observe and be an effective limit
3550 on a misuse of the pardon power, and we ought to do that
3551 today. I yield back.

3552 Chairman Goodlatte. For what purpose does the
3553 gentleman from Rhode Island seek recognition?

3554 Mr. Cicilline. Move to strike the last word.

3555 Chairman Goodlatte. Gentleman is recognized for 5
3556 minutes.

3557 Mr. Cicilline. Thank you, Mr. Chairman. I want to
3558 start by saying we are attempting to do oversight, and we
3559 are forced to use a vehicle called a resolution of inquiry
3560 because our colleagues on the other side of the aisle have
3561 really abandoned our solemn obligation to provide real
3562 oversight and to hold the administration -- any
3563 administration -- accountable.

3564 We are living in a period of the incredible shrinking
3565 Judiciary Committee, and just to make the point, I would
3566 like to introduce into the record a document entitled, "The
3567 Record of Abuse, Corruption, and Inaction: House Judiciary
3568 Democrats Efforts to Document the Failings of the Trump
3569 Administration."

3570 In this report we detailed a number of things: 75
3571 letters sent to the administration by members of the
3572 Judiciary Committee; 6 letters to the Inspector General of
3573 the Department of Justice; 39 letters to the House Judiciary
3574 Committee and House majority leadership on four occasions to
3575 convene a special meeting of this committee; 12 letters sent
3576 to outside entities; participation of 15 Democratic forums;
3577 the release and development of 11 reports.

3578 Six requests to the Government Accountability Office
3579 for reports; introduction of 5 resolutions of inquiry;
3580 introduction of 2 censure resolutions; introduction of 39
3581 oversight-related bills and resolutions; leading of 1
3582 lawsuit; and assistance in 15 amicus briefs. So we are
3583 trying in every way that we cannot ask unanimous consent to
3584 be made part of the record.

3585 Chairman Goodlatte. Without objection.

3586 [The information follows:]

3587 ***** COMMITTEE INSERT *****

3588 Mr. Cicilline. We are attempting, endeavoring, to do
3589 our oversight responsibility even though we do not have
3590 willing partners on the other side. My Republican friends
3591 on this committee sometimes act more like they are the
3592 defense team for President Trump than the Oversight
3593 Committee of the Judiciary Committee.

3594 So, I particularly want to thank Mr. Lieu for
3595 introduction of this resolution of inquiry. It is, I think,
3596 our only way to force our colleagues to participate with us
3597 in doing meaningful oversight. President Trump has
3598 declared, and I quote, "All agree the U.S. President has the
3599 complete power to pardon, and I have the absolute right to
3600 pardon myself."

3601 Rudy Giuliani, his legal counsel, said, "When the whole
3602 thing is over, things might get cleaned up with some
3603 presidential pardons."

3604 There are few quotes that more accurately articulate
3605 the Trump administration's view of the pardon power. To
3606 this administration, presidential pardon power is to be
3607 twisted and pushed beyond its limits. It is unthinkable
3608 that the following would be factors in granting a
3609 presidential pardon; however, that is exactly what we find
3610 ourselves.

3611 How much the President would like to signal to his
3612 associates not to give up information on him; how much the

3613 President like to grant himself immunity from prosecution;
3614 how much the President would like to impede a special
3615 counsel investigation that he is the subject of; and how
3616 much the President would like to reward his loyalists.

3617 A simple civics lesson would offer President Trump some
3618 insight into what makes the difference between a monarchy
3619 and a democracy. Unfettered pardon power is more fitting to
3620 the type of all-powerful king that the U.S. Constitution was
3621 written to prevent. The Framers set up the pardon power as
3622 a check on the criminal justice system so that if a person
3623 was wrongly convicted or given a harsh sentence, a pardon
3624 could right a wrong or grant mercy on that person. The use
3625 of this power is not meant to be used to shut down inquiries
3626 into one's own wrongdoing or to benefit political allies.

3627 What also concerns me is the President has refused to
3628 consult with the Justice Department's Office of the Pardon
3629 Attorney before issuing his pardons. If left unchecked, the
3630 President's exercise of the pardon power will have lasting
3631 damage on the rule of law and on our constitutional norms
3632 and would, as our Founding Fathers said, be an impeachable
3633 offense.

3634 So, we of course have the right to collect information
3635 as to how this power is being used and for what purpose.
3636 This committee has the opportunity by passing this
3637 resolution of inquiry to reverse course and to finally

3638 exercise proper jurisdiction over a very important
3639 constitutional issue.

3640 Congressman Lieu's resolution of inquiry would require
3641 documents from the Attorney General that are related to the
3642 pardons the President has already issued and pardons he is
3643 considering for his cronies and other subjects of this
3644 ongoing investigation.

3645 My Republican colleagues have, on occasion, opined that
3646 they are concerned about the dangers of abuse of power by
3647 the President -- I have heard them say that on this
3648 committee -- and described presidential power as sometimes
3649 inappropriate or troubling.

3650 Well, I hope my colleagues will convert those words
3651 into action by supporting this resolution of inquiry so we
3652 can be sure that we are exercising our appropriate role in
3653 oversight and restricting the President's abuse or misuse of
3654 the pardon power in a way it was never intended that would
3655 do a disservice to the American people and undermine the
3656 values of our Constitution. And with that, I yield back.

3657 Chairman Goodlatte. The question occurs on the
3658 amendment in the nature of a substitute.

3659 All those in favor respond by saying aye.

3660 Those opposed, no.

3661 In the opinion of the chair, the ayes have it, and the
3662 amendment in the nature of a substitute is agreed to.

3663 A reporting quorum being present, the question is the
3664 motion to report the bill H. Res. 928, as amended,
3665 unfavorably to the house.

3666 Those in favor will say aye.

3667 Those opposed, no.

3668 The ayes have it, and the bill is ordered reported
3669 unfavorably.

3670 Mr. Nadler. Mr. Chairman, I request a recorded vote.

3671 Chairman Goodlatte. A recorded vote has been
3672 requested, and the clerk will call the roll.

3673 Ms. Adcock. Mr. Goodlatte?

3674 Chairman Goodlatte. Aye.

3675 Ms. Adcock. Mr. Goodlatte votes aye.

3676 Mr. Sensenbrenner?

3677 [No response.]

3678 Mr. Smith?

3679 [No response.]

3680 Mr. Chabot?

3681 [No response.]

3682 Mr. Issa?

3683 [No response.]

3684 Mr. King?

3685 Mr. King. Aye.

3686 Ms. Adcock. Mr. King votes aye.

3687 Mr. Gohmert?

3688 [No response.]

3689 Mr. Jordan?

3690 [No response.]

3691 Mr. Poe?

3692 [No response.]

3693 Mr. Marino?

3694 Mr. Marino. Yes.

3695 Ms. Adcock. Mr. Marino votes yes.

3696 Mr. Gowdy?

3697 [No response.]

3698 Mr. Labrador?

3699 [No response.]

3700 Mr. Collins?

3701 Mr. Collins. Aye.

3702 Ms. Adcock. Mr. Collins votes aye.

3703 Mr. DeSantis?

3704 [No response.]

3705 Mr. Buck?

3706 Mr. Buck. Aye.

3707 Ms. Adcock. Mr. Buck votes aye.

3708 Mr. Ratcliffe?

3709 Mr. Ratcliffe. Yes.

3710 Ms. Adcock. Mr. Ratcliffe votes yes.

3711 Mrs. Roby?

3712 [No response.]

3713 Mr. Gaetz?

3714 Mr. Gaetz. Aye.

3715 Ms. Adcock. Mr. Gaetz votes aye.

3716 Mr. Johnson of Louisiana?

3717 Mr. Johnson of Louisiana. Aye.

3718 Ms. Adcock. Mr. Johnson votes aye.

3719 Mr. Biggs?

3720 [No response.]

3721 Mr. Rutherford?

3722 Mr. Rutherford. Aye.

3723 Ms. Adcock. Mr. Rutherford votes aye.

3724 Mrs. Handel?

3725 Mrs. Handel. Yes.

3726 Ms. Adcock. Mrs. Handel votes yes.

3727 Mr. Rothfus?

3728 [No response.]

3729 Mr. Nadler?

3730 Mr. Nadler. No.

3731 Ms. Adcock. Mr. Nadler votes no.

3732 Ms. Lofgren?

3733 [No response.]

3734 Ms. Jackson Lee?

3735 Ms. Jackson Lee. No.

3736 Ms. Adcock. Ms. Jackson Lee votes no.

3737 Mr. Cohen?

3738 Mr. Cohen. No.

3739 Ms. Adcock. Mr. Cohen votes no.

3740 Mr. Johnson of Georgia?

3741 Mr. Johnson of Georgia. No.

3742 Ms. Adcock. Mr. Johnson votes no.

3743 Mr. Deutch?

3744 [No response.]

3745 Mr. Gutierrez?

3746 [No response.]

3747 Ms. Bass?

3748 [No response.]

3749 Mr. Richmond?

3750 [No response.]

3751 Mr. Jeffries?

3752 Mr. Jeffries. No.

3753 Ms. Adcock. Mr. Jeffries votes no.

3754 Mr. Cicilline?

3755 Mr. Cicilline. No.

3756 Ms. Adcock. Mr. Cicilline votes no.

3757 Mr. Swalwell?

3758 [No response.]

3759 Mr. Lieu?

3760 Mr. Lieu. No.

3761 Ms. Adcock. Mr. Lieu votes no.

3762 Mr. Raskin?

3763 Mr. Raskin. No.

3764 Ms. Adcock. Mr. Raskin votes no.

3765 Ms. Jayapal?

3766 Ms. Jayapal. No.

3767 Ms. Adcock. Ms. Jayapal votes no.

3768 Mr. Schneider?

3769 Mr. Schneider. No.

3770 Ms. Adcock. Mr. Schneider votes no.

3771 Ms. Demings?

3772 Ms. Demings: No.

3773 Ms. Adcock. Ms. Demings votes no.

3774 Chairman Goodlatte. The gentleman from Ohio?

3775 Mr. Chabot. Aye.

3776 Ms. Adcock. Mr. Chabot votes aye.

3777 Chairman Goodlatte. The gentleman from California?

3778 Mr. Issa. Aye.

3779 Ms. Adcock. Mr. Issa votes aye.

3780 Chairman Goodlatte. The gentleman from Florida?

3781 Mr. Deutch. No.

3782 Ms. Adcock. Mr. Deutch votes no.

3783 Chairman Goodlatte. The gentleman from Pennsylvania?

3784 Mr. Rothfus. Aye.

3785 Ms. Adcock. Mr. Rothfus votes aye.

3786 Chairman Goodlatte. Has every member voted who wishes

3787 to vote?

3788 The clerk will report.

3789 Ms. Adcock. Mr. Chairman, 13 members voted aye; 12
3790 members voted no.

3791 Chairman Goodlatte. The ayes have it, and the bill is
3792 ordered reported unfavorably to the House. Members will
3793 have 2 days to submit views. Without objection, the bill
3794 will be reported as a single amendment in the nature of a
3795 substitute incorporating all adopted amendments, and the
3796 staff is authorized to make technical and conforming
3797 changes.

3798 Ms. Jackson Lee. When you finish, sir --

3799 Chairman Goodlatte. I am getting ready to adjourn.

3800 Ms. Jackson Lee. Mr. Chairman, if I could just make an
3801 inquiry, which I know you may not have correctly stated it,
3802 but the amendment that I offered on the previous bill, 938,
3803 was a good amendment. In totality, it commented on not only
3804 the issue of the children, which I do not know any person,
3805 Republican or Democrat, who is not concerned about children
3806 being incarcerated or taken from their family, but it also
3807 added that there are reports that children are being given
3808 psychotropic drugs.

3809 So, I really wanted the record to be corrected that we
3810 are not unconcerned. We have a difference of opinion, but
3811 we are not unconcerned. And I thought the amendment was
3812 appropriate, because it was seeking documents from the DOJ

3813 as to how such decision could be made or how we can improve
3814 the conditions of these children in securing those
3815 documents, and so I wanted to make sure that reflected on
3816 the record.

3817 Chairman Goodlatte. The gentlewoman's comments are
3818 appropriate, and they are a part of the record.

3819 Ms. Jackson Lee. Thank you.

3820 Chairman Goodlatte. This concludes --

3821 Mr. Nadler. Chairman --

3822 Chairman Goodlatte. For what purpose does the
3823 gentleman from New York seek recognition?

3824 Mr. Nadler. Just an inquiry. The Meadows amendment as
3825 -- the Meadows -- whatever it was that was amended by Jordan
3826 -- what is its status? What happens next to it?

3827 Chairman Goodlatte. It goes to the floor of the House
3828 when leadership determines they want to make it in order.

3829 Mr. Nadler. Okay, thank you.

3830 Ms. Jackson Lee. And I have three articles, Mr.
3831 Chairman, that I would ask unanimous consent to place into
3832 the record.

3833 Chairman Goodlatte. Without objection, it will be made
3834 a part of the record.

3835 [The information follows:]

3836 ***** COMMITTEE INSERT *****

3837 Ms. Jackson Lee. Thank you. Unanimous consent, thank
3838 you.

3839 Chairman Goodlatte. This concludes our business for
3840 today. Thanks to all members for attending. The markup is
3841 adjourned.

3842 [Whereupon, at 3:06 p.m., the committee was adjourned.]