

1 NATIONAL CAPITOL CONTRACTING
2 RPTS HASKELL
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4 MARKUP OF H.R. 1667;
5 H.R. 1695; H. RES. 184;
6 AND H. RES. 203
7 Wednesday, March 29, 2017
8 House of Representatives,
9 Committee on the Judiciary,
10 Washington, D.C.

11 The committee met, pursuant to call, at 10:18 a.m., in
12 Room 2141, Rayburn House Office Building, Hon. Bob Goodlatte
13 [chairman of the committee] presiding.

14 Present: Representatives Goodlatte, Sensenbrenner,
15 Chabot, Issa, King, Franks, Gohmert, Jordan, Poe, Chaffetz,
16 Gowdy, Labrador, Farenthold, Collins, DeSantis, Buck,
17 Ratcliffe, Roby, Gaetz, Johnson of Louisiana, Biggs,
18 Conyers, Nadler, Lofgren, Jackson Lee, Cohen, Johnson of
19 Georgia, Deutch, Bass, Richmond, Jeffries, Cicilline,
20 Swalwell, Lieu, Raskin, Jayapal, and Schneider.

21 Staff Present: Shelley Husband, Staff Director; Branden
22 Ritchie, Deputy Staff Director; Zach Somers, Parliamentarian
23 & General Counsel; Joe Keeley, Chief Counsel, Subcommittee
24 on Courts, Intellectual Property, and the Internet; Ryan
25 Dattilo, Counsel, Subcommittee on Regulatory Reform,
26 Commercial and Antitrust Law; Alley Adcock, Clerk; Perry
27 Apelbaum, Minority Staff Director & Minority Chief Counsel;
28 Danielle Brown, Minority Chief Legislative Counsel &
29 Parliamentarian; Aaron Hiller, Minority Chief Oversight
30 Counsel; Jason Everett, Minority Chief Intellectual Property
31 & Courts Counsel; David Greengrass, Minority Counsel; Susan
32 Jensen, Minority Senior Counsel; Matthew Morgan, Minority
33 Counsel; Rosalind Jackson, Minority Professional Staff
34 Member; Joseph Ehrenkrantz, Minority Professional Staff
35 Member; and Slade Bond, Minority Chief Counsel, Subcommittee
36 on Regulatory Reform, Commercial, and Antitrust Law.

37 Chairman Goodlatte. Good morning. The Judiciary
38 Committee will come to order, and without objection, the
39 chair is authorized to declare a recess at any time.

40 Pursuant to notice, I now call up H.R. 1667 for
41 purposes of markup and move that the committee report the
42 bill favorably to the House.

43 The clerk will report the bill.

44 Ms. Adcock. H.R. 1667, to amend title 11 of the United
45 States Code in order to facilitate the resolution of an
46 insolvent financial institution and bankruptcy.

47 [The bill follows:]

48 ***** INSERT 1 *****

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

52 In 2008, our economy suffered one of the most
53 significant financial crises in history. In the midst of
54 the crisis and in response to a fear that some financial
55 firms' failures could cause severe harm to the overall
56 economy, the Federal Government provided extraordinary
57 taxpayer-funded assistance in order to prevent certain
58 financial firms' failures. In the ensuing years, experts
59 from the financial, regulatory, legal, and academic
60 communities have examined how best to prevent another
61 similar crisis from occurring and to eliminate the
62 possibility of using taxpayer monies to bailout failing
63 firms.

64 The Judiciary Committee has advanced the review of this
65 issue, with the aim of crafting a solution that will better
66 equip our bankruptcy laws to resolve failing firms, while
67 also encouraging greater private counterparty diligence in
68 order to reduce the likelihood of another financial crisis.

69 Among other things, this effort responded to provisions
70 of the Dodd-Frank Wall Street Reform and Consumer Protection
71 Act that called for an examination of how to improve the
72 Bankruptcy Code in this area. During the past two
73 Congresses, the Judiciary Committee favorably reported the

74 Financial Institution Bankruptcy Act, legislation that
75 improved the bankruptcy code to better facilitate the
76 resolution of financial firms.

77 That legislation was the culmination of a bipartisan
78 process that solicited and incorporated the views of a wide
79 range of leading experts and relevant regulators. In both
80 instances, the bill passed the House by a voice vote under
81 suspension of the rules. This Congress, Regulatory Reform,
82 Commercial and Antitrust Law Subcommittee Marino
83 reintroduced the Financial Institution Bankruptcy Act as
84 H.R. 1667.

85 Following its introduction, the Subcommittee on
86 Regulatory Reform, Commercial and Antitrust Law conducted a
87 hearing on the bill. H.R. 1667 is identical to previous
88 legislation, with one minor change to refine the director
89 liability protection provision. The bill before us today is
90 the product of a careful, deliberate, and thorough process
91 and reflects a diverse range of views from a variety of
92 interested parties.

93 The Financial Institution Bankruptcy Act makes several
94 improvements to the bankruptcy code in order to enhance the
95 prospect of an efficient resolution of a financial firm
96 through the bankruptcy process. The bill allows for a
97 speedy transfer of the operating assets of a financial firm
98 over the course of a weekend. This quick transfer allows

99 the financial firm to continue to operate in the normal
100 course, which preserves the value of the enterprise for the
101 creditors of the bankruptcy without a significant impact on
102 the firm's employees, suppliers, and customers. The bill
103 also requires expedited judicial review by a bankruptcy
104 judge randomly chosen from a pool of judges designated as
105 advanced and selected by the Chief Justice for their
106 experience, expertise, and willingness to preside over these
107 complex cases.

108 Furthermore, the legislation provides for key
109 regulatory input throughout the process. The Financial
110 Institution Bankruptcy Act is a bipartisan, balanced
111 approach that increases transparency and predictability in
112 the resolution of a financial firm. Furthermore, it ensures
113 that shareholders and creditors, not taxpayers bear the
114 losses related to the failure of a financial company.

115 I would like to thank Chairman Marino for introducing
116 this legislation. I am also pleased that Ranking Member
117 Conyers and subcommittee Ranking Member Cicilline joined in
118 introducing this important legislation and want to thank
119 them and their staff for their efforts in developing this
120 bill. I urge my colleagues to support this important
121 legislation.

122 And it is now my pleasure to recognize the gentleman
123 from Rhode Island, the ranking member of the Subcommittee on

124 Regulatory Reform, Commercial and Antitrust Law, Mr.

125 Cicilline, for his statement.

126 [The prepared statement of Chairman Goodlatte follows:]

127 ***** COMMITTEE INSERT *****

128 Mr. Cicilline. Thank you, Mr. Chairman.

129 In 2008, the United States economy nearly collapsed as
130 a direct result of lending practices in the housing market
131 that were predatory, unsafe, and, in many cases, fraudulent.
132 Investments in toxic securities create a cyclical failure in
133 the housing market. The declining health of the market
134 undermined the value of these securities, which, in turn,
135 devastated the housing market and caused the failure of
136 several of the Nation's largest financial institutions.

137 With the financial system in near collapse, large
138 financial institutions were essentially able to blackmail
139 the government because these banks were so large that there
140 was no way to break them apart, as then-FDIC chair, Sheila
141 Bair, testified in 2009.

142 Although the true hardship caused by this widespread
143 fraud is incalculable, we do know that it erased \$10
144 trillion of household wealth and causes 8 million Americans
145 to lose their jobs and 5 million Americans to lose their
146 homes.

147 Rhode Island, my home State, was hit particularly hard
148 by the recession. When I took office, the unemployment rate
149 in Rhode Island hovered at 11.2 percent, the fifth highest
150 in the country. In the wake of this economic disaster, the
151 Dodd-Frank Act was enacted to comprehensively reform the
152 financial system. Because of this law, which includes some

153 of the strongest consumer protections passed since the Great
154 Depression, the banking system is stronger; there is more
155 transparency in consumer lending; and the Consumer Financial
156 Protection Bureau continues to serve as an important
157 watchdog to protect Americans against predatory lending and
158 fraud in the financial system.

159 Title 1 of Dodd-Frank provides stability in markets by
160 requiring large financial institutions to have a living will
161 to serve as a plan for the rapid and orderly resolution in
162 the event of material financial distress or failure.

163 Title 2 ends taxpayer bailouts of banks that are too
164 big to fail by providing financial regulators with orderly
165 liquidation authority where a bank's collapse would have
166 serious adverse effects on financial stability in the United
167 States, and no viable private sector alternative is
168 available. This process expressly requires the finding of
169 the secretary of Treasury that the bankruptcy process would
170 not be appropriate to resolve a distressed firm. Leading
171 commentators agree, however, that the U.S. bankruptcy
172 process is not designed to accommodate the orderly
173 resolution of a large financial institution that poses
174 systemic risk to the entire economy.

175 H.R. 1667, the Financial Institution Bankruptcy Act,
176 addresses this concern by establishing a single point of
177 entry for the resolution of an insolvent financial

178 institution with assets exceeding \$50 billion. The goal of
179 the bill is to establish a process where a distressed
180 financial institution could voluntarily seek bankruptcy
181 relief while its subsidiaries continue to operate. And
182 while I strongly support H.R. 1667 and am an original
183 cosponsor of the bill, make no mistake, I will strongly
184 oppose any effort to combine this measure with the repeal of
185 the Dodd-Frank Act or any part of the law, for that matter.

186 Since this law was enacted, the economic recovery has
187 led to the creation of more than 15 million private sector
188 jobs, a 60 percent increase in business lending, and a
189 record performance by the Dow Jones Industrial Average.

190 It is critical that we build on this process through
191 education, training, and other initiatives to promote
192 economic opportunity. Too many Americans are still
193 unemployed or working two or even three jobs just to get by,
194 while Wall Street has never been better. We must also
195 preserve and advance the protections established by Dodd-
196 Frank to ensure transparency and stability in the financial
197 system, while protecting consumers.

198 The National Bankruptcy Conference agrees with this
199 assessment and has previously instructed that the Dodd-Frank
200 Act should, "Continue to be available, even if the
201 bankruptcy is amended to better address the resolution of
202 SFEs because the ability of U.S. regulators to assume full

203 control of the resolution process to elicit the cooperation
204 from non-U.S. regulators is an essential insurance policy
205 against systemic risk and potential conflict and dysfunction
206 among the multinational components of SFEs."

207 Moreover, should this legislation become law, Dodd-
208 Frank provides a valuable backstop to bankruptcy through its
209 orderly liquidation authority, which empowers the Federal
210 Deposit Insurance Corporation to act as a receiver for large
211 financial institutions that are too big to fail.

212 I urge my colleagues to support this legislation and
213 yield back the balance of my time.

214 [The prepared statement of Mr. Cicilline follows:]

215 ***** COMMITTEE INSERT *****

216 Chairman Goodlatte. It is now my pleasure to recognize
217 the ranking member of the Judiciary Committee, the gentleman
218 from Michigan, Mr. Conyers, for his opening statement.

219 Mr. Conyers. Thank you, Chairman Goodlatte.

220 I think that, because of the urgency of us moving as
221 rapidly as we can and because I sense a strong sense of
222 cooperation on both sides of the aisle on this matter, I am
223 going to put most of my statement in.

224 But as an original cosponsor of this measure, I agreed
225 to cosponsor for several reasons.

226 To begin with, 1667 addresses a real need recognized by
227 regulatory agencies, bankruptcy experts, and the private
228 sector that the bankruptcy law must be amended so that it
229 can expeditiously restore trust in the financial marketplace
230 after the collapse of a systematically significant financial
231 institution.

232 As many recall, the failure of Lehman Brothers and
233 subsequent bankruptcy in 2008 caused a worldwide freeze on
234 the availability of credit. This, in turn, triggered the
235 near collapse of our Nation's economy and clearly revealed
236 that current bankruptcy law is ill equipped to deal with
237 complex financial institutions in economic distress. H.R.
238 1667 would establish a specialized form of bankruptcy relief
239 designed to facilitate the expeditious resolution of a
240 large, systemically-significant financial institution.

241 Under the bill, the debtor's operating subsidiaries
242 would continue to operate outside of bankruptcy, while the
243 debtor's principal assets, such as its secured property,
244 financial contracts, and the stock of its subsidiaries would
245 be transferred to a temporary bridge company.

246 The so-called bridge company under the guidance of a
247 trustee would then liquidate these assets to pay the claims
248 of the debtor's creditors. The bill would also temporarily
249 prevent parties from exercising their rights in certain
250 qualified financial contracts.

251 Each critical step of this process would be done under
252 the supervision of a bankruptcy judge and subject to appeal.
253 And finally, I support this bill because it is a bill that
254 appropriately recognizes the important role the Dodd-Frank
255 Act has in the regulation of large financial institutions.

256 Without Dodd, the Great Recession was a direct result
257 of the regulatory equivalent of the Wild West. The Dodd-
258 Frank Act goes a long way toward reinvigorating a regulatory
259 system that makes the financial marketplace more accountable
260 and, hopefully, more resilient.

261 In particular, title 2 of Dodd-Frank establishes a
262 mandatory resolution process to wind down large financial
263 institutions, which is a critical enforcement tool for bank
264 regulators to ensure compliance with the act's heightened
265 regulatory requirements.

266 1667 is an excellent complement to Dodd-Frank Act's
267 resolution process and will help facilitate the rapid
268 administration of a debtor's assets in an orderly fashion
269 that maximizes value and minimizes disruption to the
270 financial marketplace.

271 And so I urge my colleagues to continue the bipartisan
272 support for this measure, and I thank the chairman for the
273 time.

274 [The prepared statement of Mr. Conyers follows:]

275 ***** COMMITTEE INSERT *****

276 Chairman Goodlatte. The chair thanks the gentleman.

277 Are there any amendments to H.R. 1667?

278 A reporting quorum being present, the question is on
279 the motion report the bill H.R. 1667 favorably to the House.

280 Those in favor will say aye.

281 Those opposed, no.

282 The ayes have it, and the bill is ordered reported
283 favorably.

284 Members will have 2 days to submit views.

285 Mr. Conyers. Good. Unanimous.

286 Chairman Goodlatte. Pursuant to notice, I now call up
287 H.R. 1695 for purposes of markup and move that the committee
288 report the bill favorably to the House.

289 The clerk will report the bill.

290 Ms. Adcock. H.R. 1695: to amend title 17, United
291 States Code to provide additional responsibilities for the
292 Registrar of Copyrights, and for other purposes.

293 [The bill follows:]

294 ***** INSERT 2 *****

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

298 The Registrar of Copyrights Selection and
299 Accountability Act of 2017 fills a critical gap that
300 currently exists in the selection process for all future
301 registrars of copyright.

302 No member on this committee, nor in Congress, would
303 underestimate the importance of the copyright economy in
304 America. The copyright economy is a key driver of our
305 Nation's exports. Overseeing this sector is the Copyright
306 Office, an entity whose large impact is far bigger than its
307 small footprint. Over the past several years, this
308 committee has heard from a range of perspectives about
309 various concerns in copyright law ranging from industry
310 specific concerns to much broader ones, especially the
311 Copyright Office itself. Since November 2014, the status
312 and selection process for the registrar position has been
313 among these concerns.

314 The current vacancy within the registrar's office is a
315 timely one as we consider the Copyright Office of the
316 future. But we should not hold up replacement of the
317 registrar to resolve the other issues that will take more
318 time to address.

319 So I and 29 of my colleagues introduced this

320 legislation as a way to speed up consideration of this key
321 component before other changes to the Copyright Office are
322 made. We have also worked in tandem with the Senate
323 Judiciary Committee, whose bipartisan leaders share our
324 concern that we need to act while the registrar position is
325 vacant. With the enactment of this legislation, both the
326 head of the Patent and Trademark Office and the Copyright
327 Office would be subject to a nomination and consent process.

328 The lack of a nomination and consent process for the
329 registrar has led to repeated litigation that this
330 legislation would finally resolve. The legislation also
331 creates a matching 10-year term for the Registrar of
332 Copyright and the Library of Congress. A 10-year term is
333 sufficient for the next registrar and all that follow to
334 make major changes on Copyright Office operations without
335 worrying about a short timespan to make these changes.

336 Since the Copyright Office is part of the legislative
337 branch, I understand an amendment will be offered to ensure
338 that members of Congress pick the slate of candidates from
339 which the President must choose a nominee.

340 In addition to the strong support from within the
341 committee, I am pleased to see more than 30 groups have
342 issued statements in support of the legislation. I want to
343 also thank the gentleman from Michigan, the ranking member,
344 for working closely, in a bipartisan fashion, with a number

345 of members on both sides of the aisle to bring forward this
346 legislation.

347 And without objection, I am adding a list of supportive
348 groups and their statements of support into the record.

349 And it is now my pleasure to recognize the ranking
350 member for his opening statement.

351 [The prepared statement of Chairman Goodlatte follows:]

352 ***** COMMITTEE INSERT *****

353 Mr. Conyers. Thank you, Mr. Chairman. Members of the
354 committee, as an original cosponsor and strong supporter of
355 1695, I am proud to advocate support for this measure, and
356 also, I wanted to mention a very important Jackson Lee
357 amendment that will soon be coming forward.

358 This bipartisan and bicameral legislation was developed
359 in collaboration with our Senate colleagues, Senate
360 Judiciary Chairman Chuck Grassley, Dianne Feinstein, Senator
361 Pat Leahy, the chairman of our committee, and myself. It is
362 also the product of more than 4 years of hearings and
363 conversations with a wide range of stakeholders, who all
364 wish to see a Copyright Office that is responsible to all
365 the stakeholders in the copyright ecosystem.

366 I support this legislation for several reasons: to
367 begin with, elevating the stature of the registrar and
368 making the position directly accountable to Congress. And
369 that would help ensure a strong and vibrant copyright
370 system, which creates jobs and promotes a diverse range of
371 views.

372 Today, core copyright businesses contribute more than
373 \$1.2 trillion to our economy each year, generate foreign
374 sales of almost \$180 billion, and they are also tremendous
375 job creators employing more than five and a half million
376 workers. This is why this bill is strongly supported by
377 several unions, including the Screen Actors Guild, the

378 American Federation of TV and Radio Actors, as well as the
379 Directors Guild of America.

380 In addition, an effective copyright system enables a
381 broad range of independent and diverse voices to emerge
382 secure in the knowledge that they will be rewarded for their
383 efforts.

384 I would also point out that this bill grows directly
385 from the bipartisan copyright review process that Chairman
386 Goodlatte himself initiated back in 2013. This committee
387 held 20 hearings and heard from 100 or more witnesses about
388 how to update the copyright laws for the 21st century. As a
389 result of this process, a strong bipartisan consensus
390 emerged that the Copyright Office needs to be more
391 accountable to Congress and that it should have greater
392 independence.

393 The Copyright Office has a long and distinguished
394 history of serving as an advisor to Congress on copyright
395 matters, and it is only reasonable that Congress play a role
396 in deciding who leads that important office.

397 Finally, requiring the registrar to be confirmed by the
398 Senate will allow Congress to ensure that the Copyright
399 Office is led by a well-qualified individual, who is
400 responsive to Congress, the public, and all the stakeholders
401 in the copyright community, as well as establish the
402 Copyright Office on much firmer constitutional support.

403 I will be supporting an amendment by the gentlelady
404 from Texas that would strengthen the selection process by
405 establishing an even larger role for Congress and choosing
406 the candidates for the position than the base text does.

407 And so, accordingly, I look forward to supporting that
408 amendment as well as the underlying bill, and I urge the
409 support of all my colleagues on the committee.

410 I thank the chairman. I yield back.

411 [The prepared statement of Mr. Conyers follows:]

412 ***** COMMITTEE INSERT *****

413 Chairman Goodlatte. The chair thanks the gentleman.

414 For what purpose does the gentlewoman from Texas seek
415 recognition?

416 Ms. Jackson Lee. Mr. Chairman, I have an amendment at
417 the desk.

418 Chairman Goodlatte. The clerk will report the
419 amendment.

420 Ms. Adcock. Amendment to H.R. 1695 offered by Ms.
421 Jackson Lee of Texas. Page 2, line 12, insert --

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

423 ***** COMMITTEE INSERT *****

424 Chairman Goodlatte. Without objection, the amendment
425 is considered as read, and the gentlewoman is recognized for
426 5 minutes on her amendment.

427 Ms. Jackson Lee. I thank the chairman.

428 For those of us who have been engaged in this process,
429 we know that there is a great need for change and improving
430 and addressing the particular entities that deal with the
431 copyright, particularly, as Mr. Conyers has said, the
432 Copyright Office, those who provide a trillion-plus infusion
433 of dollars to the economic engine of this country, that the
434 Registrar of Copyrights Selection Accountability Act was to
435 respond to the needs of that community to ensure that the
436 Registrar of Copyrights, who is the director of the United
437 States Copyright Office, as housed in the Library of
438 Congress, be profoundly competent and proficient.

439 H.R. 1695 takes a position of the Registrar of
440 Copyrights and makes it a Presidential appointment, subject
441 to Senate confirmation.

442 I believe the Jackson Lee amendment improves the bill.
443 The Jackson Lee amendment improves the bill by establishing
444 a seven-person panel to recommend a list of at least three
445 individuals to the President for appointment as a Registrar
446 of Copyrights. Let me be very clear that we are delighted
447 to have as our new Librarian, Ms. Carla Hayden, who has
448 distinguished herself professionally and is committed to

449 distinguishing herself in the running of the Library of
450 Congress and the recognition of the importance of the rights
451 of those who are subject to the importance of the Registrar
452 of Copyrights.

453 This amendment provides the panel membership shall be
454 as follows: Speaker of the House of Representatives,
455 President pro tempore of the Senate, majority leader of the
456 House of Representatives, majority leader of the Senate,
457 minority leader of the House of Representatives, and
458 minority leader of the Senate, and the Librarian of
459 Congress, to have that extensive and important expertise to
460 be able to ensure that this process reflects all of the
461 needs of the Copyright Office and all of the needs of the
462 Librarian of Congress or the Library of Congress.

463 This bill is a product of years of deliberation and
464 reflects the collective and considered judgment of members
465 of Congress that the Copyright Office would be strengthened
466 as an institution were the registrar to be selected through
467 the advice and consent process, regardless of the decision
468 maker, ultimately. The dual role of the Library of Congress
469 as both legislative and national institution also ensures
470 that it is important to have this appointment if this bill
471 is to pass.

472 As its name reveals, the Library is the Library of
473 Congress, a fact in which the Congress of the United States

474 takes great pride. And of equal importance, if not more so,
475 it is a national library that serves the people of the
476 United States.

477 I would like to think that the Jackson Lee amendment
478 seeks to balance the respect for our new Librarian of
479 Congress and the dual interests that are so important, as it
480 relates to the institution of the Office of the Registrar of
481 Copyrights and giving that office its added measure of
482 status and authority.

483 So I would ask my colleagues to support the Jackson Lee
484 amendment, and I yield back my time.

485 Chairman Goodlatte. The chair thanks the gentlewoman
486 and recognizes himself in support of the amendment.

487 I want to thank the gentlewoman from Texas for offering
488 this amendment. Registrar of Copyrights advises Congress,
489 and it is critical that members of Congress have the full
490 confidence in whoever is chosen to be registrar.

491 Congress has a role in the selection of candidates for
492 other legislative branch agencies, such as the Comptroller
493 General of the Government Accountability Office, the
494 Congressional Budget Office, and the Architect of the
495 Capitol. The gentlewoman's amendment would continue this
496 tradition.

497 I welcome her effort to ensure that members of Congress
498 have input on who the next registrar is, and I urge my

499 colleagues to support her amendment.

500 For what purpose does the gentleman from New York seek
501 recognition?

502 Mr. Nadler. Strike the last word.

503 Chairman Goodlatte. The gentleman is recognized for 5
504 minutes.

505 Mr. Nadler. Mr. Chairman, since 2013, under your
506 leadership, along with Ranking Member Conyers, this
507 committee has undertaken a comprehensive review of the
508 copyright law and the Copyright Office.

509 Over the course of 20 hearings with 100 witnesses, as
510 well as listening sessions across the country and individual
511 meetings with a broad range of stakeholders, we have heard
512 one consistent message: that the Copyright Office must be
513 modernized to meet the needs of the public and the copyright
514 community.

515 This legislation is an important first step in that
516 process. Under current law, the Registrar of Copyrights who
517 leads the Copyright Office answers solely to the Librarian
518 of Congress. As an institutional matter, this creates a
519 conflict.

520 Libraries are a key stakeholder in the copyright
521 ecosystem, but they are just one of many stakeholders, each
522 with different priorities and interests.

523 To place the fate of the Copyright Office in the hands

524 of one interested party does a disservice to the copyright
525 system it is charged with administering. This bill would
526 remedy this problem by making the Registrar of Copyrights a
527 Presidential appointment subject to Senate confirmation and
528 setting a 10-year term for the position. It would establish
529 an open and transparent process for publicly vetting a
530 nominee for registrar and provide a stronger means for
531 Congress to provide meaningful oversight of the Copyright
532 Office.

533 This is especially important in light of the historic
534 role the Copyright Office has always played in providing
535 independent advice to Congress on copyright matters.

536 The Copyright Office lacks autonomy over its budget,
537 over its staffing, and over its technology needs.
538 Consequently, it has been unable to implement the
539 Modernization Plan that it needs in order to function
540 properly in the 21st century. This bill would make the
541 registrar more responsive and accountable to Congress, but
542 it is just the first step in a process that would provide
543 the Copyright Office with more flexibility and independence.

544 The Jackson Lee amendment strengthens the underlying
545 bill by giving Congress an additional role in the selection
546 process and by including the Librarian in this process. By
547 creating a panel of Congressional leaders along with the
548 Librarian of Congress to recommend names to the President,

549 this amendment would minimize the risk that any President
550 nominates someone unqualified or otherwise unacceptable to
551 Congress.

552 Furthermore, the Librarian would collaborate with
553 Congress in picking the slate of candidates to present to
554 the President, thereby ensuring that she continues to play a
555 role in filling the position of registrar.

556 As I mentioned earlier, I support this bill because
557 there is an inherent institutional conflict in leaving the
558 choice of registrar solely within the discretion of the
559 Librarian.

560 Dr. Hayden is an impressive and well-qualified
561 Librarian of Congress, and this legislation should in no way
562 be seen as an aspersion on her personally or professionally.
563 But as a matter of policy, it makes sense for the registrar
564 to have a degree of independence from the Librarian and to
565 have direct accountability to Congress.

566 The Jackson Lee amendment strikes a good balance
567 between Congress, the President, and the Librarian in the
568 process of selecting the Registrar of Copyrights.

569 Consequently, I support this amendment. I hope all of
570 my colleagues will support the amendment as well as the
571 bill. I thank you, and I yield back the balance of my time.

572 Chairman Goodlatte. The chair thanks the gentleman.

573 For what the purpose does the gentleman from California

574 seek recognition?

575 Mr. Issa. To strike the last word.

576 Chairman Goodlatte. The gentleman is recognized for 5
577 minutes.

578 Mr. Issa. Thank you, Mr. Chairman. Mr. Chairman, I am
579 going to be supporting this amendment, and I would ask
580 unanimous consent that the text of an amendment I will be
581 not be offering be placed in the record at this time.

582 Chairman Goodlatte. Without objection, it will be made
583 part of the record.

584 [The information follows:]

585 ***** COMMITTEE INSERT *****

586 Mr. Issa. Thank you. As this legislation goes to the
587 Senate, I trust we will all be looking carefully at making
588 sure that we get this right.

589 The Copyright Office is not simply a mechanism, but it
590 is, in fact, a constitutionally-empowered requirement and
591 one that we should take seriously.

592 For more than a century, the Copyright Office has been
593 within the Library, not because of a specific plan by our
594 founders, but because of the power and influence of a
595 Librarian. For that reason, I think it is very appropriate
596 that we, today, recognize that there are reasons that, in
597 the future, we must balance the strength or weakness of a
598 Librarian, the whims or prejudice of a Librarian, the
599 capability of a Librarian, the interest of a Librarian, or,
600 in fact, the lack of interest of a Librarian against those
601 of our constitutional responsibility to both protect
602 copyrights and, quite frankly, to modernize the Copyright
603 Office.

604 So I want to thank the chairman for bringing this up,
605 and I want to make sure that, if you will, we make the
606 record complete. The record, in my opinion, is as follows:
607 the House and the Senate were not informed before the
608 Librarian made a decision to terminate the previous
609 director. And that, in no small way, violates the spirit of
610 the relationship that has occurred between this committee,

611 over more than a century, and the Librarian.

612 Additionally, the Librarian currently believes that she
613 can hire anyone she wants and then fire them if she chooses.
614 I believe that the chairman's legislation, including with
615 the amendment, will make it clear that Congress has an
616 obligation, an interest, and a continued oversight role over
617 the success of the Copyright Office. That is not to
618 indicate that this committee oversees the Library of
619 Congress in any substantial way, but rather, that this
620 particular embedded part of the Library is and will continue
621 to be the primary jurisdiction of this committee and the
622 interest of its members.

623 Additionally, Mr. Chairman, I look forward to us
624 recognizing, under whoever shall be picked by the President,
625 should this law be enacted, as somebody who will take
626 charge, in a serious way, with modernizing the Copyright
627 Office.

628 For too long, both sides have asked us when we are
629 going to modernize the Copyright Office, when the databases
630 in copyright will begin to equal that in PTO, and go beyond
631 it, which is necessary when we consider the vast amount of
632 stakeholders who have copyright rights that are not being
633 found and, thus, not being compensated.

634 This affects those willing to pay, in addition to those
635 willing to receive their royalties.

636 So Mr. Chairman, your leadership has been critical in
637 this way. I thank you for bring it. I also thank the
638 gentlelady from Texas for her amendment, which I think is
639 clearly appropriate and necessary, and I yield back.

640 Chairman Goodlatte. The chair thanks the gentleman.

641 For what purpose does the gentlewoman from California
642 seek recognition?

643 Ms. Lofgren. To strike the last word.

644 Chairman Goodlatte. The gentlewoman is recognized for
645 5 minutes.

646 Ms. Lofgren. While I appreciate that Ms. Jackson Lee
647 is attempting to fix the bill that has many problems, I do
648 not think the amendment does, in fact, fix the underlying
649 problems in the bill.

650 The bill really is a vote of no confidence in the
651 Librarian of Congress. By voting yes, we are saying that
652 she is incapable of appointing the registrar. We will take
653 this away from her and give it to the President of the
654 United States instead. That is a bold position to take,
655 considering that it is my understanding a majority of the
656 members of this committee have not even had a chance to meet
657 Dr. Hayden, let alone ask her about her plans to modernize
658 both the Library and the Copyright Office.

659 She was hired for this job because of her leadership
660 and success in modernizing the Baltimore Library. Now, she

661 is not going to personal program the web services or build
662 databases, but she has shown that she knows how to hire and
663 manage people who can do that.

664 And as an aside, when she was at the American Library,
665 she went head to head with then-Attorney General John
666 Ashcroft over the Patriot Act. Her particular concern was
667 the intrusiveness of section 215. Ashcroft called her
668 concerns baseless hysteria, but the whole committee how that
669 turned out.

670 Dr. Hayden and her CIO have made more progress in
671 modernization of the Copyright Office in that last 6 months
672 than her predecessor made in the last 10 years. They
673 believe they can shave almost 2 years off the Copyright's
674 Office 5-year Modernization Plan, but that only works if
675 there is a new registrar as soon as possible, and given the
676 speed of Congress and the fact that the President still has
677 495 Senate-confirmed positions to appoint, the actual
678 confirmation process will be extremely contentious.

679 A vote for this bill is a vote to delay the
680 modernization of the Copyright Office, and for what? It
681 does not give any new authority or responsibility. All it
682 will do is create more conflict during a very critical time.
683 It is also unfair to the Copyright employees, who will not
684 know who ultimately to listen to, and that is not a
685 hypothetical.

686 Under the previous registrar, the Copyright Office CIO
687 refused to recognize the Library's CIO as his superior
688 officer. This caused all kinds of problems, including
689 cybersecurity problems.

690 Now how do I know this? In addition to serving on the
691 Judiciary Committee, I serve on the House Administration
692 Committee, which the House Administration Committee has
693 jurisdiction over the Library. We have had the Inspector
694 General report submitted to us, and I hate to be blunt, but
695 there were problems with the prior Librarian and the prior
696 registrar. I will go through some of those problems when we
697 take a look at my three amendments that I will offer later.

698 I just would note, Mr. Chairman, that your reference to
699 the CBO, the President does not appoint the CBO. And as for
700 the Administrative Office of Congress, the President does
701 appoint this position, but the House passed unanimously H.R.
702 2843 in 2010 to take the appointment away from the President
703 and give to it to Congress, so just a few a years ago the
704 House thought that these legislative positions should stay
705 in the legislative branch.

706 I would just like to add that, for many years, we had a
707 Librarian of Congress who had many strengths, I am sure. He
708 was a historian, but technology was not one of his
709 strengths. He neglected this function. We had a registrar
710 who, although she complained a lot about modernization, did

711 nothing to actually promote modernization.

712 The Inspector General report, and I will ask to put it
713 into the record, does point out that she started the
714 modernization project with a modest \$1.1 million in 2010.
715 She increased that to 2 million. Ultimately, the Copyright
716 Office spent \$11.6 million on modernization and then
717 cancelled all the contracts because there was no integrity;
718 there was no managerial experience for this.

719 Further, the February 2017 report discloses that the
720 Copyright Office hid what they were doing from the Library
721 and from the Congress. They hid it, the former registrar.

722 I think this bill is about accountability. We had a
723 former regime that blew the taxpayers' money, that failed to
724 perform. We now have a new regime that is trying to perform
725 and is, in fact, performing. And instead of saying, "Yes,
726 let's modernize this. Let's have some accountability," we
727 are trying to take the decision out of a new Librarian, who
728 is a breath of fresh air, who actually has managerial
729 experience, and give it to the President to pile up with the
730 rest of the appointments he has yet to make and to the delay
731 the modernization effort.

732 The amendment should be defeated because it does not
733 solve the supervision problems.

734 And I will close with this. You cannot have good
735 management without the ability to remove a person who is

736 misbehaving. In Ms. Jackson Lee's amendment, we do not
737 solve that problem. And again, this is not a hypothetical
738 problem.

739 Under the bill, the appointment would be made by the
740 President, but the management would remain in the Library.
741 Now, when the registrar refuses to come to a meeting or
742 hides her budget from the Librarian, as has happened with
743 prior registrar, what tool does the manager, the Librarian,
744 have to actually resolve that and to get accountability?
745 None, under the amendment.

746 So while I respect and thank my colleague from Texas
747 for trying to fix a bad bill, it does not fix it, and I
748 think the bill itself is fatally flawed. And I yield back.

749 Mr. Conyers. Mr. Chairman?

750 Chairman Goodlatte. For what purpose does the
751 gentleman from Michigan seek recognition?

752 Mr. Conyers. I rise in support of the Jackson Lee
753 amendment.

754 Chairman Goodlatte. The gentleman is recognized for 5
755 minutes.

756 Mr. Conyers. Thank you. I, again, want to thank the
757 gentlelady from Texas and the offer of this amendment. And
758 I think it is an important amendment, and I will try to
759 explain why.

760 The amendment makes several changes that will help

761 ensure greater congressional input in selecting the new
762 registrar and guarantee that the Librarian is involved with
763 and invested in the appointment.

764 Now, I have met Dr. Hayden several times. First, this
765 amendment provides for input by Congress in selecting the
766 registrar. It does it by creating a panel composed of the
767 Speaker, the House minority leader, the President pro
768 tempore, and the minority leader of the Senate, and the
769 Librarian, in order to develop a consensus list of
770 recommended candidates that the President is required to
771 select from.

772 So we are increasing our involvement and relationship
773 with this important office, and I think that the list that
774 we would put together would be the one that the President
775 would be required to select from.

776 Everyone on the panel will be given an equal say and
777 equal deference. Since all parties and branches will be
778 given a role, there will be a strong incentive for everyone
779 to work together to identify the strongest and most
780 qualified candidates. This is similar to a formula that has
781 worked very well in identifying individuals to serve as
782 Architect of the Capitol and the Comptroller General.

783 Secondly, I very much appreciate that the amendment
784 will carve out an important role in the selection for the
785 Librarian. I have a great deal of respect for Dr. Hayden,

786 was present at her swearing in last year, and have spoken
787 and met with her, as I have indicated, on several occasions.
788 She brings a wealth of knowledge and experience to the
789 table, and we should welcome that input.

790 Finally, on a personal level, it is my sincere hope
791 that this amendment will allow as many of our members as
792 possible to come together as we begin the next stage of our
793 work updating our copyright laws, which is so central to our
794 Nation's economic and cultural wellbeing.

795 This is only the first, initial legislative step, and
796 we remain open to working with every member and every
797 stakeholder at every step of the way, including the
798 leadership on both sides of the aisle.

799 And so I want to thank, again, the gentlelady from
800 Texas, Ms. Jackson Lee, and urge support of this amendment
801 as we continue to enhance and improve our committee's work
802 in this area.

803 I thank the chair, and I yield back.

804 Chairman Goodlatte. For what purpose does the
805 gentleman from Florida seek recognition?

806 Mr. Deutch. Move to strike the last word.

807 Chairman Goodlatte. The gentleman is recognized for 5
808 minutes.

809 Mr. Deutch. I thank you, Chairman Goodlatte. I am
810 proud to the join the majority of my committee colleagues as

811 a cosponsor of this bill, and I strongly support Ms. Jackson
812 Lee's amendment.

813 The bill today reflects the general consensus that
814 Congress needs to step in to increase the autonomy of the
815 Copyright Office, while still respecting the historic
816 connection of the Copyright Office to the Library. The bill
817 is an important first step in reforming the Copyright
818 Office, but it cannot be the only step. Through the
819 hearings this committee has held over the past few years, we
820 have learned how truly behind the curve the Copyright Office
821 is. I still cannot believe that the Copyright Office uses a
822 card catalog, something that many young people have never
823 seen and would have no idea how to use.

824 Mr. Chaffetz and I have worked to find a bipartisan and
825 consensus-driven set of reforms for the Copyright Office
826 that would go beyond just the selection of the registrar, as
827 have the chairman and Ranking Member Conyers, and others on
828 the committee as well.

829 Establishing the Registrar of Copyrights with authority
830 outside the Library of Congress is not a reflection on Dr.
831 Hayden. It is a recognition on the reality that the Library
832 and Copyright Office have two fundamentally different
833 missions and deserve to be empowered to pursue those two
834 missions.

835 It is a recognition that success for both of those

836 important entities means allowing them to maintain their
837 historic connection, but operate on a day-to-day basis with
838 greater autonomy. This change was true when Dr. Billington
839 was in charge of the Library, and it remains equally true
840 with Dr. Hayden in charge of the Library.

841 Dr. Hayden has many challenges in her work to bring the
842 Library of Congress into the 21st century and to make this
843 world-class Library accessible and relevant to all
844 Americans. And while we have not discussed much of that,
845 because most of her mission is outside the jurisdiction of
846 this committee, I would use this opportunity to note that
847 Congress needs to provide her with the funds and support
848 that she needs to fully modernize the Library, and I would
849 be happy to work with Ms. Lofgren and my friends across the
850 aisle to help ensure that she receives those resources.

851 It should be obvious that, to bring the Copyright
852 Office into the 21st century, we have to do more than just
853 change the selection process for the registrar.

854 It requires a massive overhaul of the I.T. system to
855 create both a smoother process for creators seeking to
856 protect their works and assist them to enable the public to
857 search the broad catalog of American creativity, and it
858 requires greater accountability and consultation with both
859 the creative and the user communities, so that we ensure
860 that the improvements and investments meet the needs of all

861 of those who rely upon the Copyright Office to do its job
862 well.

863 I am glad that the chairman has taken up this first
864 step. I look forward to working with him, Ranking Member
865 Conyers, and others on next steps as well. And I yield back
866 the balance of my time.

867 Chairman Goodlatte. The chair thanks the gentleman.
868 For what purpose does the gentleman from Tennessee seek
869 recognition?

870 Mr. Cohen. Thank you, Mr. Chairman. I just want to
871 comment on --

872 Chairman Goodlatte. The gentleman is recognized for 5
873 minutes.

874 Mr. Cohen. Thank you. I just want to comment on Mr.
875 Deutch's remarks. I appreciate Mr. Deutch, but to suggest
876 that because many young people have never seen a card filing
877 system, you should condemn a card filing system. Many young
878 people have a never seen a newspaper.

879 I do not think that was a fair jab.

880 Ms. Jackson Lee. Would you yield? Would you yield?

881 Mr. Cohen. I yield.

882 Ms. Jackson Lee. Mr. Chairman, I have been yielded to.

883 Chairman Goodlatte. You may proceed.

884 Ms. Jackson Lee. Thank you so very much. Let me
885 acknowledge my friends and colleagues on the committee for

886 the instructive comments that they have made. I
887 particularly want to make sure that the competence of the
888 present Librarian of Congress is elevated to the extent of
889 recognizing that she had to persist in an extensive
890 competition to be selected for this important position. Let
891 me also acknowledge that she is beginning to make some
892 sizeable and important changes, recognizing the many
893 stakeholders, not only in the Library of Congress, but in
894 the registrar.

895 So this process is, as my ranking member's indicated,
896 and the chairman, is to elevate her status in the selection
897 process and to be sure that her expertise is utilized.

898 Again, as we sit here today, the Librarian of Congress
899 is working. She is working on modernizing the Library. She
900 is working on responding to stakeholders. She is working on
901 using better technology. And so I am confident that as this
902 legislation makes its way through the United States'
903 Congress and any number of oversight opportunities will
904 occur, we will have the right combination to ensure that we
905 have the interests and the character of the institution that
906 is preserved that is the Office of Registrar of Copyrights
907 and, as well, that we have the interests and character of
908 the institution that is the Library of Congress.

909 I think this amendment contributes to that balance, and
910 I would ask my colleagues, again, for their support, and I

911 yield back.

912 Chairman Goodlatte. The question occurs on the
913 amendment offered by the gentlewoman from Texas.

914 All those in favor respond by saying aye.

915 Those opposed, no.

916 In the opinion of the chair, the ayes have it, and the
917 amendment is adopted.

918 Are there further amendments?

919 Ms. Lofgren. I have an amendment.

920 Chairman Goodlatte. For what purpose does the
921 gentlewoman from California seek recognition?

922 Ms. Lofgren. I have an amendment at the desk: Lofgren
923 amendment No. 1.

924 Chairman Goodlatte. The clerk will report the
925 amendment.

926 Ms. Adcock. Amendment to H.R. 1695 offered by Ms.
927 Lofgren of California. Page 4, strike line 2.

928 [The amendment of Ms. Lofgren follows:]

929 ***** COMMITTEE INSERT *****

930 Chairman Goodlatte. Without objection, the amendment
931 is considered as read, and the gentlewoman is recognized for
932 5 minutes on her amendment.

933 Ms. Lofgren. This amendment would delay the effective
934 date when the Librarian is removed as the appointing
935 authority and it is transferred to the President.

936 The date of September 5, 2026, was selected because
937 that is when Dr. Hayden's 10-year term is up, and I would
938 just note something that I will just say bothered me.

939 We had Dr. Billington serve for decades and decades and
940 decades, but it was not until a woman was appointed
941 Librarian that we put a term limit on the appointment. So
942 that is just an aside, but there is a term limit now, and
943 this would delay this change in the appointment authority
944 until the end of her term.

945 The Library is making great progress on its
946 modernization plans. Particularly, the current plan would
947 result in saving significant amounts of time and money
948 implementing the Copyright Office's Information Technology
949 Modernization Plan and cost analysis.

950 However, in order for this to work, a new registrar
951 must be appointed in a timely fashion. Now, the Library has
952 hired Deloitte to review its plans. They expect a green
953 light to start implementing modernization this September.
954 Ideally, the registrar would be part of the review, but a

955 minimum, the registrar should be there when implementation
956 starts this September.

957 In other words, if this bill becomes law, we are
958 actually voting to erase all the efficiency gains made by
959 the Library's hard work and careful planning because we are
960 not going to have registrar by September. If this bill
961 passes, we have no idea how long that seat will be vacant.

962 But given that Bloomberg reports that this
963 administration has yet to even nominate 495 Senate-confirmed
964 positions, and only 20 have been confirmed so far, it does
965 not look good; this, plus the time it would take this
966 measure to become law, if it does become law.

967 Now, I mentioned earlier, I serve on the House
968 Administration Committee, which has jurisdiction over the
969 Library. And so I am privileged to get up-to-date Library
970 information. It maybe that some of the Judiciary Committee
971 members are hearing about the Library's progress on the
972 upgrade for the first time here.

973 Had the committee bothered to bring Dr. Hayden in for a
974 hearing, or even a briefing, I would not have to be the one
975 to inform you that we are in the middle of marking up a bill
976 that would set Copyright Office modernization back 2 years.

977 This amendment allows the Librarian to keep the
978 authority to appoint the Registrar of Copyrights for her
979 entire tenure term. I think this is the only way to ensure

980 a smooth and efficient modernization, and given her success
981 in modernizing the Baltimore Library, I would much rather
982 trust this decision to someone like her, who has a record of
983 proven ability, rather than the President, and it will pile
984 up with all the other decisions he has yet to make.

985 So that is my amendment, Mr. Chairman, and I yield
986 back.

987 Chairman Goodlatte. The chair thanks the gentlewoman
988 and recognizes himself in opposition to the amendment.

989 This amendment delays the resolution of this important
990 issue by 10 years. However, the vacancy that exists within
991 the Registrar's Office exists right now, not 10 years from
992 now. There is no reason to wait to ensure that members of
993 Congress and interested parties have input into who the next
994 registrar will be. This problem could have been avoided in
995 the first place if the prior registrar had not been forced
996 out.

997 She spent years working with us to identify copyright
998 policy issues that needed this committee's attention, and I
999 would say that, notwithstanding the gentlewoman's contention
1000 that this will set back modernization, every single major
1001 copyright organization in America supports this bill.

1002 I urge my colleagues to oppose this amendment.

1003 The question occurs on the amendment offered by the
1004 gentlewoman from California.

1005 All those in favor, respond by saying aye.

1006 Those opposed, no.

1007 In the opinion of the chair, the noes have it, and the
1008 amendment is not agreed to.

1009 Mr. Issa. Mr. Chairman.

1010 Chairman Goodlatte. For what purpose does the
1011 gentleman from California seek recognition?

1012 Mr. Issa. I would now like to ask unanimous consent
1013 that the fiscal year 2017 budget for the Library of Congress
1014 be placed in the record.

1015 Chairman Goodlatte. Without objection, it will be made
1016 a part of the record.

1017 [The information follows:]

1018 ***** COMMITTEE INSERT *****

1019 Chairman Goodlatte. For what purpose does the
1020 gentlewoman from California seek recognition?

1021 Ms. Lofgren. I have an amendment at the desk: Lofgren
1022 amendment No 2.

1023 Chairman Goodlatte. The clerk will report the
1024 amendment.

1025 Ms. Adcock. Amendment to H.R. 1695 offered by Ms.
1026 Lofgren of California. Page 3, strike line 8.

1027 [The amendment of Ms. Lofgren follows:]

1028 ***** COMMITTEE INSERT *****

1029 Chairman Goodlatte. Without objection, the amendment
1030 is considered as read, and the gentlewoman is recognized for
1031 5 minutes on her amendment.

1032 Ms. Lofgren. This amendment allows the Librarian of
1033 Congress to remove the registrar. This is an essential
1034 provision. How can you expect the Librarian to, as mandated
1035 by law, properly supervise the Copyright Office when the
1036 registrar is answerable to no one but the executive branch?
1037 And how do you truly supervise someone you cannot fire?

1038 Now, what can the Librarian do if a registrar is acting
1039 insubordinately or giving fake budget request numbers?
1040 Unfortunately, this is not a hypothetical.

1041 While preparing the fiscal year 18 appropriations
1042 request, the Library noticed that a \$25 million line item in
1043 the Copyright's Office request did not add up. When
1044 questioned about this, Registrar Pallante stated that this
1045 number was no big deal. It was just a placeholder, that
1046 they would make adjustments after the money was
1047 appropriated.

1048 In other words, the Copyright Office gave the Librarian
1049 fake budget numbers, with the intention that she go testify
1050 in front of the Appropriates Committee to the need of these
1051 funds that was made up.

1052 Additionally, the Inspector General report released
1053 last month, recording the Copyright Office's failed

1054 electronic licensing system, said, "Copyright executives at
1055 the time did not disclose in the Library's performance
1056 management system and annual congressional budget
1057 justifications the magnitude of issues in cost." What does
1058 this mean in real language? The registrar hid the numbers.
1059 She hid the numbers from the Librarian and she hid the
1060 numbers from Congress.

1061 Without the ability to remove the registrar, the
1062 relationship between the Librarian and the registrar is
1063 fundamentally altered. It will create uncertainty and
1064 ambiguity in the chain of command and unnecessary hurdles to
1065 the modernization effort. It creates a Sophie's choice for
1066 officers and employees of the Copyright Office.

1067 When there is conflict, who do they ultimately listen
1068 to? And again, this is not a hypothetical. Under the
1069 previous registrar, the Copyright Office CIO refused to
1070 recognize the Library's CIO as his superior officer. This
1071 caused both availability and cybersecurity issues, some of
1072 which we can only be briefed on in classified settings.

1073 Under this bill, there is no right choice. It is a
1074 lose-lose for Copyright employees. The only possible result
1075 of the change is more conflict between the Library and the
1076 Copyright Office, not less. But that does not mean that the
1077 registrar should not have some kind of independence and
1078 protection, and that is why at a minimum, the Librarian must

1079 be able to remove the registrar when it is warranted. And
1080 that is my amendment for accountability and good management,
1081 and I would yield back the balance of my time.

1082 Chairman Goodlatte. The chair thanks the gentlewoman
1083 and recognizes himself in opposition to the amendment. This
1084 amendment would recreate an existing problem that is being
1085 solved by the underlying legislation, the inherent tension
1086 between the Library of Congress and the U.S. Copyright
1087 Office. The registrar of Congress should ultimately report
1088 to one individual, not two. I urge my colleagues to reject
1089 the amendment.

1090 Mr. Raskin. Mr. Chairman?

1091 Chairman Goodlatte. For what purpose does the
1092 gentleman from Maryland seek recognition?

1093 Mr. Raskin. I move to strike the last word.

1094 Chairman Goodlatte. The gentleman is recognized for 5
1095 minutes.

1096 Mr. Raskin. Mr. Chairman, I have very little
1097 familiarity with the Copyright Office, but I have some
1098 familiarity with the Constitution, and this amendment
1099 spotlights, for me, an underlying confusion, I think, that
1100 has run through all of the discussions we have been having.
1101 This amendment would vest the removal power in both the
1102 executive branch and in, I think, the legislative branch to
1103 the extent we are characterizing the Librarian of Congress

1104 as someone who reports to Congress. So there is certainly
1105 no precedent for doing that and I have grave doubts about
1106 its constitutionality. But at the same time, I was
1107 wondering, Mr. Chairman, and I would gladly yield to you or
1108 to Mr. Nadler; both of you in your opening statements
1109 referred to, I think in Mr. Nadler's case, direct
1110 accountability to Congress under the bill. And I am
1111 wondering, is it contemplated that the President would
1112 appoint the Registrar of Copyrights, but the Registrar of
1113 Copyrights would still be a legislative branch official?

1114 I think, Mr. Chairman, you analogized it to other
1115 congressional boards or officers. So, I am just wondering,
1116 to the extent we want to view this as the creation of an
1117 independent Copyright Registrar, is it under the legislative
1118 branch or under the executive branch? I see the problem
1119 that the gentlelady from California is trying to solve here.
1120 I do not think it is constitutional to vest it both in the
1121 executive branch and in the legislative branch at the same
1122 time.

1123 Ms. Lofgren. Would the gentleman yield?

1124 Chairman Goodlatte. If the gentleman would yield.

1125 Mr. Raskin. Please.

1126 Chairman Goodlatte. I thank the gentleman for
1127 yielding. The fact of the matter is that the reference that
1128 I made to accountability to the Congress, it rests in the

1129 fact that the Senate must consent to a nomination made by
1130 the President of the United States. And with Ms. Jackson
1131 Lee's amendment, there would not only be that, but also, and
1132 there is precedent for this, there would be input by the
1133 Congress through the Speaker, the majority, minority leader,
1134 and the President pro tempore, majority, minority leaders in
1135 the Senate, and the Librarian, input for the selection of
1136 the names submitted to the President to choose a nominee.

1137 But I share your concern about what I think recreates a
1138 problem in having both the President and the Librarian able
1139 to terminate this employee. The whole purpose of this is to
1140 create greater autonomy for the registrar. There still
1141 needs to be accountability, but I think it should be resting
1142 in one place in terms of terminating the employment. This
1143 committee and the Congress has the impeachment power as
1144 well, but that is an entirely separate discussion.

1145 Mr. Raskin. Right. Reclaiming my time for a moment,
1146 Mr. Chairman, thank you very much. That is illuminating.
1147 You were essentially restating the constitutional baseline
1148 that Congress will have its say through the advice and
1149 consent power in the appointment of the person. The last
1150 amendment we just adopted, of course, was for the nonbinding
1151 submission of three individuals to the President. The
1152 President would not be bound by that but presumably would
1153 have some kind of persuasive influence in the process. I

1154 thank you for that clarification.

1155 Ms. Lofgren. Would the gentleman yield?

1156 Mr. Raskin. I will gladly yield.

1157 Ms. Lofgren. I would prefer, but given the underlying
1158 bill, I added the Librarian rather than deleting the
1159 President. The PHH mortgage versus CFPB found that it is
1160 unconstitutional for Congress to restrict presidential
1161 removal of the CFPB director to for-cause only,
1162 distinguishing it from independent agencies governed by
1163 multiple board members.

1164 In other words, if an agency with executive powers is
1165 headed by a single director, the President must have
1166 unfettered removal authority and control. I think, though,
1167 but for management, it did not deal with the issue of the
1168 ability of a manager to also have an opportunity to
1169 terminate. And I think, based on the mortgage versus CFPB,
1170 this would be a Constitutional exercise of authority. And
1171 it is worth remembering that the Librarian herself is
1172 appointed by the President, not by the Congress even though
1173 she, like all other agencies, the Library is overseen by the
1174 Congress, funds are appropriated by the Congress, but the
1175 appointment is the President's.

1176 So, the question is, do we take the appointment that
1177 the Presidential appointee makes away from the Presidential
1178 appointee and creates still another, which I think, for

1179 reasons I have indicated before, will seriously disrupt the
1180 modernization effort. I understand the tremendous
1181 frustration that people have in the Copyright community by
1182 how disastrously this office has been run. What concerns me
1183 is now that we are finally going to get it -- I would ask to
1184 have 30 additional seconds.

1185 Chairman Goodlatte. The time is controlled by the
1186 gentleman from Maryland.

1187 Ms. Lofgren. I would I ask that the gentleman --

1188 Chairman Goodlatte. Without objection, the gentleman
1189 from Maryland is recognized for an additional minute since
1190 he may want to respond.

1191 Mr. Raskin. Thank you, Mr. Chairman. That is the most
1192 power I have gotten since I joined the committee. I am glad
1193 to yield for 30 seconds.

1194 Ms. Lofgren. The concern that I have is when we are
1195 finally going to fix what has frustrated everyone, now, we
1196 are going to step in and keep it from being fixed, which is
1197 ridiculous. And I thank the gentleman for yielding.

1198 Mr. Raskin. Well, thank you. Just reclaiming whatever
1199 is left of my time. Let me just say that Dr. Hayden is
1200 somebody that I have the upmost respect for. She is a
1201 Marylander, she did a terrific job in Baltimore and the
1202 library there. Of course, we are dealing with a structural
1203 problem that has been considered by the committee for a long

1204 time. And I think that we just need to keep the lines as
1205 straight as possible.

1206 Critical to the analysis of the separation of powers
1207 has been the removal power, and I think that this does -- we
1208 are transferring the removal power from the Librarian of
1209 Congress to the President and we are, essentially, making
1210 this an independent executive branch officer. And I think
1211 we need to keep the line straight if that is what we are
1212 going to do. I yield back, Mr. Chairman.

1213 Chairman Goodlatte. For what purpose does the
1214 gentleman from Georgia seek recognition?

1215 Mr. Collins. I move to strike the last word, Mr.
1216 Chairman.

1217 Chairman Goodlatte. The gentleman is recognized for 5
1218 minutes.

1219 Mr. Collins. Mr. Chairman, in light of a lot of the
1220 work we have done on here, I just want to come, for just a
1221 moment, and especially my friend from California, to clarify
1222 that the Copyright Office, under the previous
1223 administration, whether you liked her or did not like her,
1224 did not like this, to classify it as a disaster I think is a
1225 little bit of an overstatement here.

1226 We may agree or disagree with what the determinations
1227 were in moving toward a system in which I believe content
1228 creators and the disruptors in the marketplace and how we

1229 are going about this. There is always discussion on how we
1230 do that, but I think from a perspective of saying that we
1231 are dealing with a situation after the multiple, multiple
1232 hearings, and there is many of us on both sides of the aisle
1233 that would like to see us move farther in this and work
1234 further to do this.

1235 I just am concerned that we are getting into some areas
1236 that are, frankly, I understand for discussion purposes, are
1237 good. I think that there are committees that you need to
1238 look at and we can move further into that. But, I would
1239 just tend to just be, from my personal perspective, I think
1240 there is a different perception out there and I think just
1241 to be categorically that this is as disastrous of an office
1242 over there does a real disservice to the current employees,
1243 and, frankly -- and some disparaging, and I know there are
1244 some concerns that we would discuss, but let us have a
1245 hearing about that -- and I am not sure that this one -- I
1246 share with the gentleman from Maryland which -- I will yield
1247 to you in just a moment -- and not wanting to stop this or
1248 hold this up any longer, I think that there are things that
1249 we need to do.

1250 I have been a big advocate, as you have been as well.
1251 There are things we can -- I would just concern -- and I
1252 would like to just take a step back for a moment on just the
1253 categorization of the office as it currently has -- where it

1254 has been. I do believe there has been some issues. I will
1255 yield to the gentlelady.

1256 Ms. Lofgren. I thank the gentleman for yielding. I
1257 should have been more precise in my comment. It has been a
1258 disaster when it comes to technology and modernization, and
1259 I will go into that later on my time. But, certainly, there
1260 are hardworking members of the office. I do not mean to
1261 disparage them in anyway. I thank the gentleman for raising
1262 the issue.

1263 Mr. Collins. Well, I thank the gentlelady. Reclaiming
1264 my time, I think that one of the things here though is, I
1265 think we are getting into a bigger subject, which I am
1266 pleased that the chairman and ranking member have talked
1267 about, but this issue of modernization needs to occur and we
1268 need to discuss it. I think, actually, that the hindrance
1269 of the previous Copyright Registrar and the workings with
1270 the older -- Librarian who has now left -- I think there
1271 have been discussions on how we actually do that because
1272 there are two distinct needs here that we are discussing.

1273 It is you being a part of the House Administration
1274 Committee. We understand that the Library has needs in
1275 technology; whereas the Copyright Office has needs in
1276 technology. They are different avenues that we need to
1277 address here, and the copyright, if they are simply having
1278 to stay under the librarian's view, whoever the librarian

1279 may be, in this issues of modernization, I think we have got
1280 a problem here.

1281 There are different needs and different aspects, and I
1282 look forward to working with the gentlelady on this across
1283 committees, and we have done this before, but I think, as we
1284 move forward here, I would like to get this resolved, and
1285 then we can get back to the discussions that are going to
1286 help not only our content community, but all those who seek
1287 those protections, but also use those protections, as well.
1288 There is multiple issues on both sides of this, and I
1289 appreciate the gentlelady's concern, and I would like to see
1290 us move through this, get this done, and then I am all there
1291 to do it. This is something I have been working on since I
1292 came to Congress; it was one of the first things the
1293 chairman actually mentioned. I took it at face value and
1294 have been working very hard at that, and I appreciate the
1295 gentlewoman.

1296 Chairman Goodlatte. If the gentleman would yield?

1297 Mr. Collins. Always to my chairman.

1298 Chairman Goodlatte. We are definitely going to move
1299 forward with Copyright Office modernization, which, of
1300 course, would include consideration of the technology
1301 issues. One of the problems that has existed is that there
1302 was conflict between how the Library of Congress and the
1303 Copyright Office thought those technology issues should be

1304 addressed. I would not call that a disaster; I would call
1305 that a problem that we are resolving with the legislation
1306 and can enhance with legislation that we will take up soon,
1307 and we would look forward to working with the gentlewoman
1308 from California on that Copyright modernization legislation.

1309 Mr. Collins. I reclaim my time, Mr. Chairman. I agree
1310 with you completely, and I think this is the folks, and
1311 really, for this markup, I see many of the folks here who
1312 have been very interested in this a while. I think this is
1313 the very heart of it, and I think the chairman has
1314 understood this from day one, that we do have to look
1315 forward in how we accommodate for such an important part of
1316 our economy that has become so bogged down, and I think this
1317 clarifies that. I support the chairman's effort in this and
1318 will continue to do so.

1319 And with that, I yield back.

1320 Chairman Goodlatte. The question occurs on the
1321 amendment offered by the gentlewoman from California.

1322 All those in favor, respond by saying aye.

1323 Those opposed, no.

1324 In the opinion of the chair, the noes have it, and the
1325 amendment is not agreed to.

1326 Ms. Lofgren. Mr. Chairman?

1327 Chairman Goodlatte. For what purpose does the
1328 gentlewoman from California seek recognition?

1329 Ms. Lofgren. I have an amendment at the desk: Lofgren
1330 amendment number three.

1331 Chairman Goodlatte. The clerk will report the
1332 amendment.

1333 Ms. Adcock. Amendment to H.R. 1695 offered by Ms.
1334 Lofgren of California. Page 2, line 11 --

1335 [The amendment of Ms. Lofgren follows:]

1336 ***** COMMITTEE INSERT *****

1337 Chairman Goodlatte. Without objection, the amendment
1338 is considered as read, and the gentlewoman is recognized on
1339 her amendment for 5 minutes.

1340 Ms. Lofgren. This amendment, in addition to experience
1341 in copyright law, requires experience in managing modern
1342 information technology systems. Now, why does the new
1343 registrar need experience modernizing I.T.?

1344 Under the previous registrar, the Copyright Office has
1345 a number of failures, and I would say no successes, while
1346 attempting to implement the services expected of a modern
1347 Copyright Office. I have the Inspector General report, and
1348 the gentleman from Georgia is gone now, but I will put this
1349 in the record. May I ask unanimous consent, Mr. Chairman,
1350 to put --

1351 Chairman Goodlatte. Madame, the gentleman from Georgia
1352 --

1353 Ms. Lofgren. Oh, I did not see you there. I am sorry.
1354 The IG report identifies the multiple failures in the
1355 Copyright Office. It points out the 6 years and nearly \$12
1356 million that the prior registrar spent implementing its
1357 electronic licensing system. This was a simple accounting
1358 system for distributing royalties collected by the office
1359 and managing royalty investment accounts. They had to scrap
1360 the entire project last year.

1361 Meanwhile, they were telling the librarian they were on

1362 track; there were no problem; that is identified and
1363 reported in this Inspector General report. They hid the
1364 problems from the Congress and from the librarian, and they
1365 blew \$12 million of taxpayers' money and achieved nothing.
1366 In 2010, the Copyright Office started the project of
1367 digitizing the pre-1978 registration records. Seven years
1368 later, it has managed to digitize just the card catalog, and
1369 even that is lacking metadata to make it searchable. None
1370 of the actual records are available in digital form.
1371 It took the office nearly 20 years to create a system so
1372 that online service providers can electronically submit
1373 their notice and take-down agents. Prior to last December,
1374 online service providers had to submit their registrations
1375 in paper, which then had to be manually entered by the
1376 office employees.

1377 Now, the Library was no 100 percent innocent, but for
1378 those tempted to place most, or even a large part, of the
1379 blame on the Library of Congress, let me quote the IG
1380 report, regarding the failed electronic licensing system:
1381 "Copyright executives," that is the managers of the
1382 Copyright Office, "at the time, did not disclose, in the
1383 Library's performance management system, in the annual
1384 Congressional budget justifications, the magnitude of issues
1385 in cost."

1386 In other words, they lied: they lied to Congress, and

1387 they lied to the librarian. Now, unless we have a registrar
1388 who understands how to upgrade and run a modern service
1389 unit, we are going to continue to see these kinds of
1390 failures.

1391 Now, I think there is something unfortunate going on
1392 here: the former registrar was seen as an advocate. While
1393 she was being an advocate, she neglected the actual duties
1394 in her office, and as a consequence, copyright holders are
1395 being punished. Copyright holders should have the ability
1396 to have notice and take-down matters done quickly, so that
1397 their rights are protected. Because of her neglect, that is
1398 no longer the case.

1399 I have seen the list of people who are supporting
1400 screwing up this modernization effort. I am sure they do
1401 not believe that is what the result will be, but in the end,
1402 they will be better served if we actually modernize this
1403 office, get the systems working, so that the notice and
1404 take-down system can actually work for once, so that artists
1405 can actually see who is paying what, so that people who wish
1406 to pay artists can have the transparency that will exist
1407 once the entire thing is computerized.

1408 I would ask unanimous consent, Mr. Chairman, to put a
1409 section of the Inspector General's report on the Library of
1410 Congress and the Copyright Office into the record, so that
1411 members can take a look at it. This is not a pretty picture

1412 of the prior registrar or the prior librarian.

1413 This amendment that I have offered is essential,
1414 although it does not fully solve the underlying problem in
1415 the bill.

1416 And with that, I yield back.

1417 Chairman Goodlatte. Without objection --

1418 Mr. Collins. I would object about the whole report
1419 being entered into the record.

1420 Ms. Lofgren. No, it is not the whole report.

1421 Mr. Collins. I will object to partial unless the whole
1422 report is actually --

1423 Ms. Lofgren. I would be happy to have the whole
1424 report. I do not have it on me. It is very lengthy.

1425 Chairman Goodlatte. Without objection, the entire
1426 report will be made a part of the record.

1427 [The information follows:]

1428 ***** COMMITTEE INSERT *****

1429 Mr. Collins. Thank you.

1430 Mr. Issa. Mr. Chairman?

1431 Chairman Goodlatte. For what purpose does the

1432 gentleman from --

1433 Mr. Issa. At this time, I would ask unanimous consent

1434 that the testimony on the 2017 budget by the Copyright

1435 Director on March 15, 2016, be placed in the record.

1436 Chairman Goodlatte. Without objection.

1437 [The information follows:]

1438 ***** COMMITTEE INSERT *****

1439 Mr. Issa. Additionally, I would ask that the section
1440 or the entire April 14, 2016, budget for the County of
1441 Baltimore, which contains the \$32 million budget for the
1442 library -- the size of the library operation in Baltimore is
1443 \$32 million -- I would ask that that be placed in the
1444 record, all or part.

1445 Chairman Goodlatte. Without objection.

1446 [The information follows:

1447 ***** COMMITTEE INSERT *****

1448 Mr. Issa. And we have already placed in the record the
1449 \$3.7 billion --

1450 Chairman Goodlatte. We do not need a unanimous consent
1451 request on that.

1452 Mr. Issa. Thank you.

1453 Chairman Goodlatte. Without objection, those other
1454 things will be made a part of the record. The chair
1455 recognizes himself in opposition to the amendment. This
1456 amendment highlights an important issue facing any Federal
1457 agency. Departments such as the Veterans Administration,
1458 the Office of Personnel Management have similar I.T.
1459 challenges. The USCIS, U.S. Citizenship and Immigration
1460 Services, faces problems with their outdated technology.
1461 The answer for any Federal agency is to hire a qualified
1462 leader for the agency as a whole who then hires the most
1463 qualified chief information officer they can find for the
1464 agency they head.

1465 The Registrar of Copyrights is in the best position to
1466 identify a fully committed I.T. professional dedicated to
1467 the necessary upgrade. In fact, the former registrar
1468 already did by hiring their own chief information officer
1469 whose role was subsequently marginalized within the Library.
1470 I urge my colleagues to oppose this amendment. It would not
1471 be a good standard to impose on any appointment to any
1472 office in the government other than an office that was

1473 directly a CIO office in and of itself. Let's not set a bad
1474 precedent here by imposing that requirement on this one
1475 office of the government.

1476 Ms. Lofgren. Would the gentleman yield?

1477 Chairman Goodlatte. I would be happy to yield.

1478 Ms. Lofgren. I would just like to point out that
1479 although we all have opinions, the Inspector General
1480 specifically found that it was the Copyright Office that
1481 failed to implement the I.T. organization along standard and
1482 accepted practices, not the Library. And I would yield
1483 back.

1484 Chairman Goodlatte. And so did the Library.

1485 Mr. Collins. Would the gentleman yield?

1486 Chairman Goodlatte. I would be happy to yield to the
1487 gentleman from Georgia.

1488 Mr. Collins. Again, I agree with the chairman in
1489 disagreeing with this amendment. For my friend from
1490 California, the concern I have here, and it has developed
1491 over into this amendment as well, I have just heard in just
1492 the few moments that the former Copyright Registrar lied to
1493 Congress. That is actually an offense. But the IG -- and I
1494 think the gentlelady would say -- the IG made no criminal
1495 referral, no other aspect about this.

1496 I think if we want to have a hearing on the dismissal
1497 of the former Copyright Registrar, then we have that

1498 hearing, but that is not what we are here for. And if we
1499 are trying to back up the Librarian's decision, then let's
1500 just make that plain, that we supported the Librarian's
1501 decision. Some of us did not, but to make these categorical
1502 discussions and not give the entire issue here I think is a
1503 concern. I am for the most qualified person being there
1504 altogether. But I just wanted to point that out. I yield
1505 back to the chairman.

1506 Chairman Goodlatte. Reclaiming my time, I want to say
1507 to the gentlewoman that we definitely recognize the
1508 importance of addressing the I.T. issues that exist in many
1509 places in our government, and the Copyright Office is
1510 certainly one. And as I indicated earlier, that should
1511 certainly be a part of the Copyright Modernization
1512 legislation that we are working in a bipartisan fashion on
1513 in the committee and we would welcome the gentlewoman's
1514 participation in that as well. But with regard to who is
1515 selected, experience in copyright for the Registrar of
1516 Copyright is mandatory.

1517 To further hamstring it with other requirements, and
1518 there could be many, I do not think is the right way to do
1519 it. But I would be happy to work with her once this
1520 legislation is complete, and in law, work with the Speaker
1521 and the majority and the minority leader in the House and
1522 their counterparts in the Senate to make sure that this

1523 issue is highlighted and is going to be addressed by a new
1524 Registrar of Copyrights. But it should not be one of the
1525 two criteria for the selection process, and therefore I must
1526 oppose this amendment. For what purpose does the gentleman
1527 from Tennessee seek recognition?

1528 Mr. Cohen. Thank you, Mr. Chair. I seek recognition
1529 to show comity, M-I-T-Y, and I yield my time to Ms. Lofgren.

1530 Ms. Lofgren. And I appreciate the courtesy of my
1531 colleague from Tennessee. You know, it is not always fun to
1532 talk about an inconvenient truth, but if you take a look at
1533 the U.S. Copyright Office annual budget request as outlined
1534 on page 9 of the report that is now in the record, it points
1535 out -- they did not say "lie," they just said it does not
1536 reflect the truth, another way of saying it is a lie. I
1537 think we need to have a manager who has integrity,
1538 obviously, but we also need to have a manager who has the
1539 capacity to run a large I.T. project.

1540 If this bill becomes law, and I hope and actually do
1541 not believe it will, the criteria for that -- because it is
1542 not going to be a criterion that Dr. Hayden will be able to
1543 select -- is going to be an important one. I understand
1544 that there are large organizations where you need to have
1545 computer processes. The Copyright Office is much smaller
1546 than the VA. The person in charge of the Copyright Office
1547 is the one who has the responsibility for modernization. We

1548 have a history of failure there and if we do not put some
1549 criteria in, we are going to have continued failure there.
1550 So I thank the gentleman for yielding time and for allowing
1551 me to quote, once again, the Inspector General report, and I
1552 would yield back to the gracious Mr. Cohen.

1553 Chairman Goodlatte. For what purpose does the
1554 gentleman from California seek recognition?

1555 Mr. Issa. Strike the last word.

1556 Chairman Goodlatte. The gentleman is recognized for --
1557 Mr. Cohen. Mr. Chairman, I would appreciate the
1558 opportunity to yield back my time.

1559 Chairman Goodlatte. The gentleman is afforded such an
1560 opportunity.

1561 Mr. Cohen. I yield back my time.

1562 Chairman Goodlatte. The chair thanks the gentleman and
1563 now recognizes the gentleman from California.

1564 Mr. Issa. Thank you, both. The Library recently made
1565 an attempt to solicit input into selection of a registrar
1566 via "Survey Monday," a technique in which the whole public
1567 gets to go in. And I think the fact that the survey that
1568 the entire public has is what Congress is being offered in
1569 no small way typifies the way we are regarded currently by
1570 the Library.

1571 Mr. Chairman, you never solve a problem by diminishing
1572 the office of the person who must solve it. The person who

1573 must solve it is not the Librarian with a \$3 billion-plus
1574 budget. It is, in fact, whoever the successor is at the
1575 Copyright Office with a budget a fraction of that size, some
1576 sub-\$60 million.

1577 The reality is that Congress has underfunded the
1578 modernization of the Trademark Office and has failed to
1579 empower this office. One of the things I am going to be
1580 asking for in report language is to advise the new director
1581 to form an advisory board modeled after the PTO and thus
1582 make it a transparent process for stakeholders to be
1583 involved. There is no question at all, Mr. Chairman. I am
1584 going to be voting for your bill as amended because to do
1585 nothing is to guarantee a continuation of the status quo.

1586 In closing, Mr. Chairman, I believe that we must worry
1587 about public interest and stakeholders. I believe that
1588 there is a record of failure and I am not going to cast
1589 aspersions on the record of failure except to say that this
1590 change is part of a process leading toward a selection of
1591 somebody who, by the way, is not being hired to be the CIO.
1592 That person is being hired to work with stakeholders to find
1593 a way to outreach to find out what the appropriate
1594 modernization is, and then oversee the person who, by the
1595 way, under FITARA, under the Federal I.T. Procurement
1596 Reform, is in fact the CIO. Budget authority now has
1597 shifted and the important position is normally not the

1598 director as to I.T., but that other position.

1599 Lastly, I do want highlight that the scope of the
1600 Librarian's past success is in millions of dollars, not
1601 billions of dollars. This is a dramatically larger job for
1602 her to take care of just the Library, let alone the
1603 modernization of the Copyright. So I think as we talk about
1604 whether or not, you know, cards have been modernized
1605 properly, we are missing the point.

1606 The Librarian has a huge budget and a huge
1607 responsibility, and no one is diminishing that today. But
1608 we oversee the copyright question, the modernization, and
1609 the accountability to this Congress and to the stakeholders.
1610 Your bill accomplishes a giant step toward that, which
1611 failure to do so would be the status quo. And with that, I
1612 yield back.

1613 Chairman Goodlatte. The question occurs on the
1614 amendment offered by the gentlewoman from California.

1615 All those in favor, respond by saying aye.

1616 Those oppose, no.

1617 In the opinion of the chair, the noes have it. The
1618 amendment is not agreed to.

1619 Are there further amendments to the bill?

1620 A reporting quorum being present, the question is on
1621 the motion to report the bill H.R. 1695, as amended,
1622 favorably to the House.

1623 Those in favor, respond by saying aye.

1624 Those oppose, no.

1625 The ayes have it.

1626 Ms. Lofgren. I would ask for a recorded vote, Mr.

1627 Chairman.

1628 Chairman Goodlatte. A recorded vote is requested and

1629 the clerk will call the roll.

1630 Ms. Adcock. Mr. Goodlatte?

1631 Chairman Goodlatte. Aye.

1632 Ms. Adcock. Mr. Goodlatte votes aye.

1633 Mr. Sensenbrenner?

1634 [No response.]

1635 Mr. Smith?

1636 [No response.]

1637 Mr. Chabot?

1638 [No response.]

1639 Mr. Issa?

1640 Mr. Issa. Aye.

1641 Ms. Adcock. Mr. Issa votes aye.

1642 Mr. King?

1643 [No response.]

1644 Mr. Franks?

1645 [No response.]

1646 Mr. Gohmert?

1647 [No response.]

1648 Mr. Jordan?

1649 Mr. Jordan. Yes.

1650 Ms. Adcock. Mr. Jordan votes yes.

1651 Mr. Poe?

1652 Mr. Poe. Yes.

1653 Ms. Adcock. Mr. Poe votes yes.

1654 Mr. Chaffetz?

1655 [No response.]

1656 Mr. Marino?

1657 [No response.]

1658 Mr. Gowdy?

1659 Mr. Gowdy. Yes.

1660 Ms. Adcock. Mr. Gowdy votes yes.

1661 Mr. Labrador?

1662 [No response.]

1663 Mr. Farenthold?

1664 [No response.]

1665 Mr. Collins?

1666 Mr. Collins. Yes.

1667 Ms. Adcock. Mr. Collins votes yes.

1668 Mr. DeSantis?

1669 Mr. DeSantis. Yes.

1670 Ms. Adcock. Mr. DeSantis votes yes.

1671 Mr. Buck?

1672 Mr. Buck. Yes.

1673 Ms. Adcock. Mr. Buck votes yes.
1674 Mr. Ratcliffe?
1675 Mr. Ratcliffe. Yes.
1676 Ms. Adcock. Mr. Ratcliffe votes yes.
1677 Ms. Roby?
1678 [No response.]
1679 Mr. Gaetz?
1680 [No response.]
1681 Mr. Johnson of Louisiana?
1682 Mr. Johnson of Louisiana. Yes.
1683 Ms. Adcock. Mr. Johnson votes yes.
1684 Mr. Biggs?
1685 Mr. Biggs. Aye.
1686 Ms. Adcock. Mr. Biggs votes aye.
1687 Mr. Conyers?
1688 Mr. Conyers. Aye.
1689 Ms. Adcock. Mr. Conyers votes aye.
1690 Mr. Nadler?
1691 Mr. Nadler. Aye.
1692 Ms. Adcock. Mr. Nadler votes aye.
1693 Ms. Lofgren?
1694 Ms. Lofgren. No.
1695 Ms. Adcock. Ms. Lofgren votes no.
1696 Ms. Jackson Lee?
1697 Ms. Jackson Lee. Aye.

1698 Ms. Adcock. Ms. Jackson Lee votes aye.
1699 Mr. Cohen?
1700 Mr. Cohen. Aye.
1701 Ms. Adcock. Mr. Cohen votes aye.
1702 Mr. Johnson of Georgia?
1703 [No response.]
1704 Mr. Deutch?
1705 [No response.]
1706 Mr. Gutierrez?
1707 [No response.]
1708 Ms. Bass?
1709 [No response.]
1710 Mr. Richmond?
1711 [No response.]
1712 Mr. Jeffries?
1713 Mr. Jeffries. Aye.
1714 Ms. Adcock. Mr. Jeffries votes aye.
1715 Mr. Cicilline?
1716 [No response.]
1717 Mr. Swalwell?
1718 Mr. Swalwell. Aye.
1719 Ms. Adcock. Mr. Swalwell votes aye.
1720 Mr. Lieu?
1721 Mr. Lieu. Aye.
1722 Ms. Adcock. Mr. Lieu votes aye.

1723 Mr. Raskin?

1724 Mr. Raskin. Aye.

1725 Ms. Adcock. Mr. Raskin votes aye.

1726 Ms. Jayapal?

1727 Ms. Jayapal. Aye.

1728 Ms. Adcock. Ms. Jayapal votes aye.

1729 Mr. Schneider?

1730 Mr. Schneider. Aye.

1731 Ms. Adcock. Mr. Schneider votes aye.

1732 Chairman Goodlatte. The gentleman from Texas, Mr.

1733 Farenthold?

1734 Mr. Farenthold. Aye.

1735 Ms. Adcock. Mr. Farenthold votes aye.

1736 Chairman Goodlatte. The gentleman from Texas, Mr.

1737 Gohmert?

1738 Mr. Gohmert. Aye.

1739 Ms. Adcock. Mr. Gohmert votes aye.

1740 Chairman Goodlatte. The gentleman from Arizona, Mr.

1741 Franks?

1742 Mr. Franks. Aye.

1743 Ms. Adcock. Mr. Franks votes aye.

1744 Chairman Goodlatte. The gentleman from Idaho, Mr.

1745 Labrador?

1746 Mr. Labrador. Yes.

1747 Ms. Adcock. Mr. Labrador votes yes.

1748 Chairman Goodlatte. The gentleman from Florida, Mr.
1749 Deutch?

1750 Mr. Deutch. Aye.

1751 Ms. Adcock. Mr. Deutch votes aye.

1752 Chairman Goodlatte. The gentlewoman from California,
1753 Ms. Bass?

1754 Ms. Bass. Aye.

1755 Ms. Adcock. Ms. Bass votes aye.

1756 Chairman Goodlatte. Has every member voted who wishes
1757 to vote?

1758 Mr. Raskin. Was Mr. Cicilline recorded?

1759 Ms. Adcock. Not recorded.

1760 Chairman Goodlatte. The clerk will report.

1761 Ms. Adcock. Mr. Chairman, 27 members voted aye; 1
1762 member voted no.

1763 Chairman Goodlatte. The ayes have it and the bill, as
1764 amended, is ordered reported favorably to the House.

1765 Members will have 2 days to submit views. Without
1766 objection, the bill will be reported as a single amendment
1767 in the nature of a substitute incorporating all adopted
1768 amendments and staff is authorized to make technical and
1769 conforming changes.

1770 Pursuant to notice, I now call up House Resolution 184
1771 for purposes of markup and move that the committee report
1772 the bill unfavorably to the House. The clerk will report

1773 the bill.

1774 Ms. Adcock. H. Res. 184, of inquiry requesting the
1775 President and directing the Attorney General to transmit,
1776 respectively, certain documents to the House of
1777 Representatives relating to communications with the
1778 government of Russia.

1779 [The bill follows:]

1780 ***** INSERT 3 *****

1781 Chairman Goodlatte. Without objection, the bill is
1782 considered as read and open for amendment at any time. I
1783 will begin by recognizing myself for an opening statement.

1784 Today, we consider the second and third resolutions of
1785 inquiry that have been referred to the Judiciary Committee
1786 of this Congress. Pursuant to rule XIII, the rules of the
1787 House of Representatives, the committee must act on these
1788 resolutions within 14 legislative days of their
1789 introduction, or we could be discharged from our referrals
1790 on the resolutions. Accordingly, we have scheduled the
1791 resolutions for markup today in order to preserve our
1792 referrals.

1793 As I observed last month, when the committee considered
1794 a similar resolution of inquiry, by scheduling these
1795 resolutions for consideration in committee, we are following
1796 what has been the practice in the House for the last 30
1797 years, regardless of which party has been in control. In
1798 that time, over 75 resolutions of inquiry have been
1799 introduced in the House, of those, only two were considered
1800 on the House floor, but even those two resolutions were
1801 marked up in committee.

1802 I believe that so few resolutions of inquiry are
1803 considered on the House floor because they have no effect on
1804 the executive branch's obligation to produce documents to
1805 Congress. Resolutions of inquiry are not subpoenas; rather,

1806 resolutions of inquiry, if acted upon by the House, have no
1807 greater legal force or effect than sending the Attorney
1808 General or the President a letter requesting this
1809 information. The difference, though, is that sending a
1810 letter would not monopolize the committee's time.

1811 The first of the two resolutions we will consider
1812 today, House Resolution 184, was introduced on March 9th by
1813 Representatives Jeffries and Lieu. I have moved that the
1814 committee report the resolution unfavorably. This
1815 resolution essentially seeks two types of information from
1816 the administration.

1817 First, it requests documents regarding whether then-
1818 Senator Sessions misled the Senate Judiciary Committee
1819 regarding his contacts with Russian officials during his
1820 confirmation to be Attorney General. Second, the resolution
1821 requests documents related to Russia's alleged interference
1822 in the 2016 presidential election.

1823 In regard to the request for documents related to the
1824 allegation that Attorney General Sessions misled the Senate
1825 Judiciary Committee, I believe that the resolution is
1826 wasting the committee's time. The Senate Judiciary
1827 Committee has looked at this matter and Chairman Grassley
1828 has determined that Attorney General Sessions has cleared up
1829 any confusion regarding his testimony and that the committee
1830 has no plans to ask him to return to the committee to

1831 explain himself further.

1832 As to the resolution's request for information
1833 regarding alleged ties between the Trump campaign and
1834 transition team and the Russian Government, the
1835 investigations into these matters are ongoing and it is
1836 inappropriate for this committee to seek documents related
1837 to those investigations at this time.

1838 In addition to the investigation that Director Comey
1839 confirmed last week that the FBI is conducting into this
1840 matter, both the House and Senate Intelligence Committees
1841 are also conducting investigations.

1842 Given the lack of any evidence of criminal wrongdoing,
1843 aside from the illegal disclosure of classified information,
1844 I think that the three existing investigations are
1845 sufficient and will not be aided by this resolution of
1846 inquiry. Our oversight efforts can, and should be, better
1847 than needlessly requesting information that is already
1848 available to those actually investigating this matter.
1849 There is no compelling reason for the House to act on this
1850 politically charged resolution of inquiry, and therefore I
1851 ask my colleagues to join me in voting to report this
1852 resolution unfavorably to the House.

1853 It is now my pleasure to recognize the ranking member
1854 of the committee for his opening statement.

1855 [The prepared statement of Chairman Goodlatte follows:]

1856

***** COMMITTEE INSERT *****

1857 Mr. Conyers. Thank you, Mr. Chairman. Members of the
1858 committee, I support this resolution of inquiry and I am
1859 going to take a few minutes to hope that you will join me.
1860 I think it is a very important matter. It is the
1861 responsibility of this committee to conduct oversight of the
1862 Office of the Attorney General and to ensure the
1863 independence and integrity of the Department of Justice.
1864 And so, despite protests that this resolution is somehow not
1865 yet ripe, House Resolution 184 is the proper next step in
1866 exercising these responsibilities.

1867 Since the Attorney General took office, my colleagues
1868 and I have written to the Department at least six times. We
1869 have asked for information about conflicts of interests, the
1870 Russia investigation, and reports of inappropriate contact
1871 between the White House and the Federal Bureau of
1872 Investigation. To date, we have received no response. We
1873 have also written to you, Chairman Goodlatte, on two
1874 occasions about related matters and we have received no
1875 response there either.

1876 At our February markup of the Nadler resolution, both
1877 Chairman Goodlatte and Mr. Issa spoke at length about a
1878 letter they planned to send the Attorney General. It was
1879 described as the proper way to conduct oversight. We were
1880 promised an opportunity to join. But no letter to the
1881 Attorney General was ever sent.

1882 Instead, the majority wrote to the Federal Bureau of
1883 Investigation asking for a member briefing that still has
1884 not taken place. We did not learn of the letter until we
1885 read about it in the press. Our responsibility to this
1886 committee requires more of us, Mr. Chairman. House
1887 Resolution 184 is an opportunity to correct course and do
1888 our jobs.

1889 The resolution is also a chance to answer questions
1890 about the Attorney General's incorrect statements before the
1891 Senate; some call them false statements before the Senate.
1892 House Resolution 184 asks for information about the Attorney
1893 General's meetings with Russian officials, his testimony
1894 before the Senate Judiciary Committee, and his later
1895 clarification of that testimony.

1896 This information is critical to understanding why
1897 Attorney General Sessions twice gave false testimony and
1898 whether his attempt to correct that false testimony is
1899 adequate.

1900 I find it hard to believe that Attorney General
1901 Sessions, at the time, a sitting senator, and an active
1902 member of the Trump campaign, was unaware of reports about
1903 the campaign's connections to the Russian Government until
1904 he was asked about it in the committee room.

1905 I find it equally difficult to understand why Attorney
1906 General Sessions, in correcting his testimony, disclosed two

1907 meetings with the Russian ambassador, but not to third that
1908 is clearly documented in the public record.

1909 Again, it is this committee's responsibility to ask
1910 these questions. We cannot, and should not, turn a blind
1911 eye to false testimony and an obviously incomplete record.
1912 House Resolution 184 is right vehicle to begin that inquiry
1913 here in our committee.

1914 Finally, this resolution helps us address a larger
1915 problem, one that seems to sweep in more people in the
1916 President's orbit every single day. Why have so many of
1917 these men, each of them a part of the Trump campaign, met
1918 with the Russian Government? And perhaps equally important,
1919 or more importantly, why have so many of these men attempted
1920 to hide these meetings from the public? To a character, it
1921 seems they have only come clean when the media has exposed
1922 their deception.

1923 I am deeply disturbed by this pattern, and what it
1924 might mean for our country. And in my time on this
1925 committee, Mr. Chairman, I have come to understand that
1926 certain values transcend party. These include faith in
1927 democracy, love of country, and respect for the Republican
1928 form of government guaranteed to us by our Constitution.

1929 These values are under attack, not just here, but
1930 around the world by a regime that believes only that might
1931 makes right. We know that the government of Russia

1932 undermined our election. We know that they want to
1933 undermine the election of our allies. And, given what we
1934 know, it is incumbent upon us to do something about it.

1935 And here is our chance to begin that work in earnest.

1936 I thank my colleagues, Mr. Jeffries and Mr. Lieu, for
1937 introducing this resolution, and I urge my colleagues to
1938 listen carefully to the testimony that will follow and
1939 support the House resolution.

1940 I thank the chair, and I yield back.

1941 [The prepared statement of Mr. Conyers follows:]

1942 ***** COMMITTEE INSERT *****

1943 Chairman Goodlatte. The chair now recognizes himself
1944 for the purposes of offering an amendment in the nature of a
1945 substitute, and the clerk will report the amendment.

1946 Ms. Adcock. Amendment in the nature of a substitute to
1947 H. Res. 184 offered by Mr. Goodlatte. Strike all that
1948 follows after the resolving clause and insert the following.

1949 [The amendment of Chairman Goodlatte follows:]

1950 ***** COMMITTEE INSERT *****

1951 Chairman Goodlatte. Without objection, the amendment
1952 will be considered as read, and I will recognize myself to
1953 explain the amendment.

1954 I am offering this substitute amendment to House
1955 Resolution 184 for two reasons. First, it clarifies the
1956 references to Attorney General Sessions in the underlying
1957 resolution. The resolution, as introduced, refers to
1958 Attorney General Sessions both before and after he was
1959 confirmed as Attorney General: some of those references
1960 could use clarification, and I believe that my amendment
1961 makes the requisite temporal clarifications.

1962 Second, offering this substitute amendment preserves
1963 the majority's ability to ensure that the markup of this
1964 resolution proceeds smoothly and without dilatory tactics.
1965 Under the rules of the House, prior to conclusion of debate,
1966 the previous question can only be moved in order to proceed
1967 immediately to vote on an amendment. By offering a
1968 substitute amendment today, the majority is reserving the
1969 right to exercise its procedural motion.

1970 Let me be clear. I do not believe that we will need to
1971 exercise this procedural motion. I intend to give members
1972 sufficient time to debate this resolution; however, offering
1973 this substitute preserves the ability to exercise this
1974 motion should the need arise.

1975 For what purpose does the gentleman from New York seek

1976 recognition?

1977 Mr. Jeffries. I move to strike the last word.

1978 Chairman Goodlatte. The gentleman is recognized for 5
1979 minutes.

1980 Mr. Jeffries. Thank you, Mr. Chairman. A resolution
1981 of inquiry is a high-level congressional request for
1982 information.

1983 Today, Representative Ted Lieu and I are requesting
1984 that the Attorney General, Jefferson Sessions, transmit
1985 information that relates to all meetings he had with Russian
1986 officials, concerning the Trump campaign and matters of
1987 great national significance.

1988 At the heart of this resolution is a simple question:
1989 why did a sitting United States Senator mislead Congress
1990 about meeting with a foreign government that 17 of our
1991 intelligence agencies have concluded interfered with our
1992 election at the behest of Vladimir Putin in order to help
1993 Donald Trump win the presidency? The American people
1994 deserve to know.

1995 During his confirmation proceedings, then-Senator Jeff
1996 Sessions testified and affirmed twice to his friends and
1997 colleagues in the Senate that he did not have communications
1998 with the Russian Government, in both oral and written form.

1999 On January 10th, he testified, "I have been called a
2000 surrogate at a time or two in that campaign; I did not have

2001 communications with the Russians."

2002 A week later, Sessions responded to additional
2003 questions from Senator Leahy about his contacts with the
2004 Russian Government with a categorical denial, and a one-word
2005 answer, "No." It was not until March 1st, after reports
2006 surfaced that Attorney General Sessions had at least two
2007 meetings involving the Russian ambassador that he came
2008 forward to "clarify" his testimony.

2009 On March 6th, Jeff Sessions provided the supplementary
2010 answers to the Senate Judiciary Committee. He again
2011 maintained he did nothing wrong, boldly proclaiming, in
2012 Trump-like fashion, "My answer was correct."

2013 Why did the Nation's top law enforcement officer
2014 repeatedly give false testimony to Congress? The American
2015 people deserve to know.

2016 Now, unfortunately, Jeff Sessions is not the first
2017 Attorney General to mislead Congress under oath, but we
2018 should make sure that he is the last. In 1972, Richard
2019 Nixon nominated Richard Kleindienst to be the Nation's
2020 Attorney General. During Kleindienst's Senate confirmation
2021 hearing, he asserted that no effort had been made by anyone
2022 at the White House to influence DOJ antitrust case.

2023 Later, secret Nixon tapes revealed that he had
2024 explicitly, the President, told Kleindienst to drop that
2025 very lawsuit. The Attorney General lied to Congress, and

2026 ultimately pled guilty to committing a crime.

2027 How is the Jeff Sessions case any different? The
2028 American people deserve to know.

2029 Last week, the FBI director confirmed that there is an
2030 open criminal investigation into possible collusion between
2031 the Trump campaign and Putin's Russia. Along with Paul
2032 Manafort, Michael Flynn, Carter Page, and Roger Stone, Jeff
2033 Sessions was an integral part of the Trump campaign.

2034 In February of 2016, he became the first Senator to
2035 formally endorse Donald Trump. A few days later, he was
2036 named chairman of Trump's national security advisory
2037 committee. He was a frequent presence on the campaign
2038 trail. Did Jeff Sessions participate in possible collusion
2039 between the Trump campaign and Putin's Russia? The American
2040 people deserve to know.

2041 Before hooking up with Donald Trump, then-Senator
2042 Sessions was quite clear on the systematic fraud and
2043 corruption in Putin's Russia. But something changed after
2044 joining the Trump team. And in March of last year, days
2045 after his official endorsement of Donald Trump, he said, "I
2046 think an argument can be made that there is no reason for
2047 the U.S. and Russia to be at this loggerheads. We ought to
2048 be able to break that logjam."

2049 Why did Jeff Sessions suddenly forget that Putin's
2050 brutal and corrupt regime undermines America's democratic

2051 values? The American people deserve to know.

2052 Now, the House is a separate but coequal branch of
2053 government. We do not work for the Trump administration; we
2054 work for the American people. And the American people
2055 deserve to know if the Trump team colluded with Putin's
2056 Russia. That includes Jeff Sessions.

2057 Now, we now live in a world of alternative facts and
2058 fake news. That should trouble everyone. Apparently, it
2059 once troubled Jeff Sessions. And I close with this: he
2060 stated, "Finally, it is important to pause a moment to
2061 reflect on truth itself. I believe that we live in a
2062 created and ordered universe, that truth and falsehood are
2063 real. They are capable of being ascertained. I, Jeff
2064 Sessions, reject the doctrine of relativism that suggests
2065 everything is okay. We must always strive to hold the
2066 banner of truth high. Indeed, the pursuit of truth,
2067 wherever of leads, has been a hallmark of our civilization,
2068 and it is the single quality that has made us such a vibrant
2069 and productive Nation."

2070 Well said, Jeff Sessions; why have things changed now?
2071 Russian interference in our election, possibly aided and
2072 abetted by the Trump campaign, is not a Democratic issue or
2073 a Republican issue; it is an American issue. The truth is
2074 at the heart of this democracy.

2075 That is why this resolution of inquiry is necessary,

2076 and I urge that all of my colleagues vote in the
2077 affirmative.

2078 Chairman Goodlatte. The time of the gentleman has
2079 expired.

2080 For what purpose does the gentleman from California
2081 seek recognition?

2082 Mr. Lieu. I move to strike the last word.

2083 Chairman Goodlatte. Gentleman is recognized for 5
2084 minutes.

2085 Mr. Lieu. All right. Thank you, Mr. Chairman. The
2086 reason Representative Jeffries and I introduced this
2087 resolution of inquiry is because there is no greater issue
2088 facing our Nation than to find out if there was collusion
2089 last year between the Trump campaign and Russia. At stake
2090 is the legitimacy of the current administration.

2091 Now, there are lots of different stories on Russia; it
2092 can be confusing to the public, so let me just boil it down
2093 to three simple things.

2094 We know that last year the Russians launched a massive
2095 cyber attack and influence campaign designed to undermine
2096 faith in U.S. elections, to hurt Secretary Clinton, to help
2097 Donald Trump. This is in an unclassified intelligence
2098 report that was supported by all 17 intelligence agencies.
2099 You can just search for it on the internet; type in
2100 "unclassified intelligence report," it is the first thing

2101 that pops up.

2102 Other conclusions of this highly disturbing report also
2103 show that the Russians hacked multiple State electoral
2104 boards. So we know that happened.

2105 We also know now that there were numerous secret
2106 meetings between Trump campaign officials and the Russians
2107 that were not disclosed until the press disclosed them.

2108 And then, third, we know that the Trump campaign
2109 benefited the Russians. There were articles last year
2110 showing how the Trump campaign went against every Republican
2111 national foreign security expert and took the pro-Russian
2112 position on Ukraine.

2113 We know that Trump campaign officials even now, who are
2114 in this region, make pro-Russian statements. The President
2115 himself has made pro-Russian statements. So what we have
2116 here now is the Russians benefited the Trump campaign; Trump
2117 campaign benefits Russia.

2118 So what looks like a quid pro quo could be explained by
2119 a number of reasons. It could be that the Trump campaign
2120 folks were innocent and naïve and unwitting participants in
2121 what Russia was trying to do; it could be a nod-nod, wink-
2122 wink kind of thing; or it could be full collusion. And that
2123 is what we need to find out.

2124 These documents will help us find that out, and if the
2125 White House wants to clear its name, it would want to

2126 release these documents. It will want this resolution of
2127 inquiry to succeed. If the White House has something to
2128 hide, it would want this resolution of inquiry to fail.

2129 It is also important to know that, last week, CNN came
2130 out with a story that, not only do we have smoke now, we now
2131 have evidence that U.S. officials have, at their possession,
2132 that may show actual coordination between members of the
2133 Trump campaign and Russian hackers. So now, in addition to
2134 smoke, we have got heat.

2135 And that is why this resolution of inquiry focuses not
2136 only on Jeff Sessions, but also on Trump campaign officials,
2137 including the President himself, Michael Flynn, Jared
2138 Kushner, Carter Page, J.D. Gordon, Richard Burt, Paul
2139 Manafort, Michael Cohen, and Roger Stone.

2140 We want to find out what information and what documents
2141 these folks transmitted, had in their possession, and what
2142 do these documents show about these secret meetings.

2143 The other thing that is important, separate and above
2144 from the Trump/Russia issue, is we do know that Jeff
2145 Sessions made a statement to Congress under oath that was
2146 not true. Two former Federal prosecutors in The Washington
2147 Post wrote an op-ed a few weeks ago saying that people had
2148 been indicted for far less things.

2149 So it is important to get the documents surrounding
2150 that untrue statement to find out what the preparation was

2151 that Jeff Sessions had before he made that statement and,
2152 more than that, is saying that he did not just sort of make
2153 an untrue statement under oath in any kind of hearing; this
2154 was a hearing where he was trying to get confirmed, which
2155 means that, in his mind, it possibly may be that, if he said
2156 something different, then maybe he might not have been
2157 confirmed, or maybe senators would have gone down a
2158 different path of inquiry. But he shut that off by making
2159 an untrue statement that he had no communications with the
2160 Russians.

2161 That is why we are introducing this resolution of
2162 inquiry. It is not to muck things up or slow things down
2163 with this committee. It is because we honestly believe, our
2164 caucus and Hakeem Jeffries and I, that this is the single
2165 most important issue that we ought to be focusing on now.

2166 And with that, I yield back.

2167 Mr. Nadler. Mr. Chairman?

2168 Chairman Goodlatte. For what purpose does the
2169 gentleman from New York seek recognition?

2170 Mr. Nadler. Strike the last word.

2171 Chairman Goodlatte. The gentleman is recognized for 5
2172 minutes.

2173 Mr. Nadler. Mr. Chairman, there is an obvious cancer
2174 at the heart of the credibility, and perhaps the legitimacy,
2175 of the administration. That cancer consists of the whole

2176 question of relations with Russia.

2177 The administration is notably belligerent, truculent,
2178 perhaps, to other countries, to our NATO allies, to China,
2179 to all kinds of countries, even Australia, but he fawns on
2180 Russia and Putin, and the question is why?

2181 We know that the Russians intervened in the last
2182 election, with the goal of helping Trump's election. We
2183 know that there were numerous Trump campaign administration
2184 officials in contact with the Russians prior to and during
2185 and after the campaign. We know that there is a pattern of
2186 these individuals first denying such contacts, and then only
2187 when forced to, admitting them. Mr. Flynn, Attorney General
2188 Sessions, Mr. Stone, who had to admit that he was in contact
2189 with Guccifer 2, the public persona that the CIA says is a
2190 front for Russian military intelligence, which carried out
2191 some of the hacking.

2192 We know there was false testimony, deliberate or
2193 otherwise, by the Attorney General in front of the Senate.
2194 We know that, although the President denies investments in
2195 Russia, he said he had no investments in Russia, we now know
2196 that were lots of Russian investments in the Trump
2197 organization; his son, Donald Trump, Jr., said a couple of
2198 years ago that a disproportionate share of the investment
2199 money in the Trump organization was from Russia, and money
2200 was flowing in from Russia, and that, obviously, can have a

2201 major influence.

2202 We know there was a change in the Republican platform
2203 dealing with lethal aid to the Ukraine engineered by the
2204 Trump campaign. We know the Trump campaign denied that they
2205 had done this, and now we know who in the Trump campaign did
2206 the instruction to do this. We know that there is a
2207 criminal FBI investigation of possible collusion by the
2208 Trump campaign in the admitted Russian intervention in the
2209 campaign. We know all this. This obviously gives a lot of
2210 questions about the legitimacy of the administration,
2211 certainly about its credibility. We have a duty to solve
2212 that question, to remove this cancer.

2213 Now, we had a resolution of inquiry a few weeks ago
2214 that I introduced that dealt with a number of issues: the
2215 President's conflict of interest, the emoluments, and with
2216 any criminal or counterintelligence investigating targeting
2217 the President and various other named people, Michael Flynn,
2218 Paul Manafort, Carter Page, Roger Stone, et cetera, and the
2219 chairman deflected and opposed, and the Republicans on the
2220 committee opposed the resolution of inquiry, saying it was
2221 unnecessary because, after all, we ought to send a letter to
2222 get the same information.

2223 The letter was sent; the Democrats were not asked to
2224 sign it, but the letter was sent by the Republican members
2225 of the committee on March 8th. But the letter limited

2226 itself to requesting a briefing regarding Russia's alleged
2227 interference in the election and on alleged leaks.

2228 It did not have any reference to information about
2229 criminal counterintelligence investigations, investments by
2230 foreign government entities, and Trump entities. It had no
2231 reference to Trump's business dealings, et cetera. It did
2232 not, in fact, ask for the information that we were told we
2233 would ask for that made the request for the resolution of
2234 inquiry necessary.

2235 And we have this spectacle of the chairman of the House
2236 Intelligence Committee conducting an obvious cover-up,
2237 although the Senate Intelligence Committee may be doing an
2238 honest investigation. So we need an honesty here. We need
2239 completeness here, so the American people can be assured
2240 that there is not a cancer at the heart of the
2241 administration, that the administration works for it, and
2242 not Vladimir Putin.

2243 This resolution of inquiry -- and I commend the
2244 sponsors, Mr. Jeffries and Mr. Lieu -- this resolution of
2245 inquiry asks for a part of this information. It asks for
2246 information regarding the contacts of the Attorney General,
2247 who falsely testified before Congress, maybe perjurally,
2248 maybe not, depending on his intent and his state of mind,
2249 but he certainly falsely testified before the Senate,
2250 admittedly, as for information about contacts between him

2251 and any representatives of the Russian Government and other
2252 various information regarding his testimony to the Senate.

2253 This is the least we should do. I urge the passage of
2254 this resolution of inquiry, but, most of all, I urge the
2255 committee to conduct a proper inquiry, which starts with my
2256 resolution of inquiry, with this resolution of inquiry, with
2257 the next one that is coming up, and with other means that we
2258 have, to ensure that this whole question, does the Trump
2259 administration have an undivided loyalty to the United
2260 States, or is there divided loyalties because of business
2261 interests, or for whatever reason, to Russia?

2262 That is the key question. I urge the passage of this
2263 resolution of inquiry. I commend Mr. Jeffries and Mr. Lieu,
2264 and we have to start getting to the bottom of this --

2265 Chairman Goodlatte. Time for the gentleman --
2266 Mr. Nadler. -- stopping collusion and a cover-up. I
2267 yield back.

2268 Chairman Goodlatte. Time of the gentleman has expired.
2269 For what purpose does the gentlewoman from Texas seek
2270 recognition?

2271 Ms. Jackson Lee. I rise to strike the last word.

2272 Chairman Goodlatte. The gentlewoman is recognized for
2273 5 minutes.

2274 Ms. Jackson Lee. I rise to support the Jeffries and
2275 Lieu resolution of inquiry, and I congratulate the gentlemen

2276 for their balanced and respected presentation of the facts.

2277 Mr. Chairman, we have had moments in this committee,
2278 and we have had many moments under your chairmanship, we
2279 have served together on this committee for more than the
2280 years that we might recall, and we have had some enormously
2281 bipartisan moments. We just finished two bills where there
2282 was a meeting of the minds.

2283 But enough is enough, and we are at that point. It is
2284 very difficult to conduct the business of this committee, to
2285 conduct the business of the United States Congress when we
2286 are in the midst, if you will, of any unfolding inferno.
2287 Every day, there is a contributing factor to the collusion
2288 and the disarray of this government.

2289 The gentlemen had indicated certain points that I think
2290 are important.

2291 First, Attorney General Sessions has not fully
2292 explained his false testimony before the Senate Judiciary
2293 Committee.

2294 Second, the scope of the Attorney General's recusal
2295 from the matters related to his testimony may not be
2296 sufficient to address his ongoing conflicts of interest.

2297 Finally, the Attorney General is one of several
2298 individuals involved in the Trump campaign to have concealed
2299 his meetings with a representative of government. Recite
2300 for you the answer given to a question, specifically given

2301 by Senator Franken during his confirmation hearings, where
2302 he was under oath, which asked the question of his meetings
2303 or engagement with the Russian Government.

2304 "Senator Franken," this is Mr. Beauregard Sessions, "I
2305 am not aware of any of those activities. I have been called
2306 a surrogate at a time or two in that campaign, and I did not
2307 have communications with the Russians, and I am unable to
2308 comment on that."

2309 Colleagues, General Sessions was under oath. General
2310 Sessions is an informed, seasoned Senator at that time that
2311 would have at least a general recognition and recollection
2312 that he had meetings. But he could not recall.

2313 The resolution gives a long list of questions, but
2314 questions remain. Why did the Attorney General give false
2315 and misleading testimony? Why is his explanation for that
2316 testimony incomplete? Is a recusal sufficient to address
2317 his ongoing relationship with President Trump? Why have so
2318 many individual in President Trump's immediate orbit make
2319 contact with the Russian Government? Why have so many of
2320 them initially denied it? What is the involvement of Donald
2321 J. Trump, Michael Flynn, Jared Kushner, Carter Page, J.D.
2322 Gordon, Richard Burt, Paul Manafort, Roger Stone, or Michael
2323 Cohen?

2324 Paul Manafort has a long track record and a journey,
2325 from Russia to Cypress, with dollars being either deposited,

2326 or other questions arise.

2327 As I indicated, I have been here for Waco, several
2328 impeachment proceedings, including those of a Federal judge.

2329 Crises are responded to by this holder of the
2330 Constitution.

2331 I want this to be done thoughtfully, quietly, and
2332 respectfully. The resolution before us by the two
2333 distinguished gentlemen from California and New York makes
2334 that point. But I think that we should not be fearful of
2335 the final question being asked: whether or not impeachment
2336 is the next step.

2337 This is not a frivolous statement. This is not a rush
2338 to judgment. It is a question of this committee as to
2339 whether or not we are going to allow our partisan positions
2340 to stand against a legitimate inquiry. This is a legitimate
2341 inquiry. I do not see the government functioning at all.
2342 We could not even come together on improving the Affordable
2343 Care Act or putting forward a legitimate substitute by
2344 members of Congress on how we will provide for the health
2345 care of our citizens. Why? We are stalled in this
2346 government. We are stymied in this government. We are
2347 overwhelmed in this government every single day.

2348 And finally, the acts that may break the camel's back,
2349 former Deputy Attorney General Yates was headed to the
2350 United States Congress to tell the truth. What went on

2351 between January 26 to February 13, 17 days? What
2352 information was given? What information was covered up?

2353 We will not be able to function as a government of the
2354 people and for the people, and Barbara Jordan's words that
2355 were said in this committee some decades ago when she said,
2356 "We the people" that is what this is about. Not my
2357 position, not my party, not my district. It is about the
2358 American people, and if this committee refuses to
2359 investigate what is continuing to be a burning inferno, and
2360 one person after another stepping up and indicating that
2361 something is wrong -- Mr. Chairman, with respect for your
2362 leadership and the ranking member's leadership and all of
2363 the members on this committee, we will be derelict in our
2364 duty, we will be abdicating our responsibility, we will be
2365 ignoring the Constitution. The facts must be followed and
2366 the facts must lead us to the inevitable action that we must
2367 take. I yield back.

2368 Chairman Goodlatte. For what purpose does the
2369 gentleman from Tennessee seek recognition?

2370 Mr. Cohen. Strike the last word.

2371 Chairman Goodlatte. The gentleman is recognized for 5
2372 minutes.

2373 Mr. Cohen. Thank you, Mr. Chair. Former Vice
2374 President Joe Biden spoke recently and said the only thing
2375 bipartisan in Congress now is being against cancer. I am

2376 not even sure if that is a case with the President's budget
2377 cutting nearly \$6 billion to the National Institutes of
2378 Health.

2379 But there should be another area where we should be
2380 bipartisan and that is our concern about Russia and their
2381 influence on our government and any influence on our
2382 President that might take away from his ability to fully
2383 support our country and our values.

2384 One of my predecessors was a man named Dan Kuykendall.
2385 He served in this House. Mr. Conyers might remember him; he
2386 served in this House from 1966 to 1974. In about 1973, he
2387 spoke on the floor of the House and held a noose up when he
2388 spoke, and he said that the Democrats were trying to hang
2389 Richard Nixon. He was one of the most ardent supporters of
2390 Richard Nixon in saying that the Democrats were wrong to
2391 take him on concerning breaking in to the Watergate.

2392 Harold Ford, Sr. used that picture, and because of that
2393 picture and other reasons, Dan Kuykendall was defeated in
2394 1974, and that was the Watergate year, with one of the
2395 greatest Democratic Congresses elected ever. Because the
2396 American people knew that Nixon had violated the law, they
2397 knew the Democrats were correct, and they knew the
2398 Republicans were wrong to stand beside this man who was a
2399 law violator and had not upheld his oath of office.

2400 We are in a situation to where my colleagues and

2401 friends on the Republican side, and I know from talking to
2402 many of them, have concerns about this relationship with
2403 Russia, what we see with \$45 million resorts in Palm Beach
2404 being purchased by Donald Trump and then being sold within a
2405 year or 2 years to a Russian fertilizer king for \$95
2406 million, and where we read about straw parties owning condos
2407 in Trump Tower where we do not know who really owns them and
2408 how that has been used by Paul Manafort and others in New
2409 York real estate markets to launder money into our country
2410 by people from Russia and purchasing assets in New York City
2411 and, apparently, Palm Beach, and using a bank in Cyprus for
2412 which the co-chair was our present Secretary of Commerce.
2413 That is where the financing of the Palm Beach house went.

2414 I know my Republican friends and colleagues are
2415 concerned about this as well, but they are constrained by
2416 the fact that this would involve the Republican President.
2417 You want to do that, you do that, but history says you are
2418 doing it at your own risk and your own political life.

2419 If you want to go the way Dan Kuykendall went, stick
2420 with this position, and do not allow inquiries. But
2421 somebody needs to stand up on the Republican side other than
2422 Walter Jones, who I consider heroic, who has been described
2423 by some Republican journalists as being idiosyncratic. I
2424 look at him as being honest and voting to see Trump's tax
2425 returns, and honest in saying that Mr. Nunes cannot continue

2426 to lead that investigation, as a person who has gone beyond
2427 party politics, which he often has, and spoken the truth,
2428 which he has heard from his people in trying to set this
2429 country right.

2430 And somebody needs to speak for what Dwight Eisenhower
2431 would say about this, and what Ronald Reagan, who called
2432 Russia the evil empire -- and it is just as evil today as it
2433 was then -- and what Barry Goldwater would say about this.
2434 I cannot think of any Republican leader. John McCain has
2435 come out and questioned it. Lindsey Graham has questioned
2436 it. Most Republican journalists of a moderate persuasion
2437 have questioned it and said that this is something that
2438 needs to be looked into and responded to.

2439 If we are subject to Russian influence we need to know
2440 it, and if we are not, the White House needs to be cleared.
2441 Either way we need to act and this committee can show
2442 leadership. Congress's reputation is even worse than it was
2443 when it was at the 16-point level and it is going further
2444 down and down when we continue to look like ostriches
2445 putting our heads in the sand and not facing the real issue,
2446 the red scare that is out there, the red menace that
2447 apparently has an influence over the White House. I yield
2448 back the balance of my time.

2449 Chairman Goodlatte. For what purpose does the
2450 gentleman from Georgia seek recognition?

2451 Mr. Johnson of Georgia. I move to strike the last
2452 word.

2453 Chairman Goodlatte. The gentleman is recognized for 5
2454 minutes.

2455 Mr. Johnson of Georgia. Thank you, Mr. Chairman. This
2456 committee has been very much involved during the last
2457 administration in a number of investigations; the Fast and
2458 Furious investigation of involvement of the ATF in arms that
2459 were lost and then used in the killing of a DEA agent in
2460 Mexico during a drug enforcement raid. This committee
2461 looked into that, delved into that, even got to the point
2462 where I believe held the Attorney General in contempt of
2463 this committee for allegedly giving false information, as I
2464 recall correctly.

2465 So this panel, this committee has looked into that,
2466 looked into the IRS, tried to make it a scandal about Lois
2467 Lerner, tried to have Lois Lerner criminally charged, was in
2468 the process of trying to impeach the IRS commissioner all
2469 during the last administration, the Democratic
2470 administration. It investigated Benghazi.

2471 You know, this committee has done a lot of oversight in
2472 the past, but it confuses me to think that now, when the
2473 facts cry out for an investigation of the Trump campaign,
2474 the Trump administration, Attorney General Jefferson
2475 Beauregard Sessions, when it comes to a resolution of

2476 inquiry about anything having to do with the Trump
2477 administration, this committee is reluctant to move. What
2478 is the reason for that?

2479 My colleagues have explained the cause that is here for
2480 us to delve into Jefferson Beauregard Sessions' statements,
2481 which appear to be false, made to the Senate. This
2482 resolution just simply asks the executive branch, the
2483 President, and the Attorney General to supply certain
2484 documents that would be germane to this committee looking
2485 into this issue. After all, the Judiciary Committee is
2486 charged with overseeing the administration of justice with
2487 respect to Federal courts and administrative agencies,
2488 including the Department of Justice. This is within our
2489 bailiwick. This is something that we should be
2490 investigating.

2491 Why is it that any member of this panel would refuse to
2492 support the Jeffries-Lieu resolution of inquiry, which I am
2493 rising to state my support of? Why would anybody be opposed
2494 to that? Simply gathering information from the executive
2495 branch upon which there may lie cause to proceed with a
2496 full-blown investigation by this committee, but without the
2497 documentation the committee has no way of knowing whether or
2498 not there should be an inquiry. And so, refusing, failing
2499 and refusing to support this resolution is like an ostrich
2500 putting its head in the sand, not wanting to see what the

2501 documentation reveals.

2502 And so I think it is incumbent upon this committee to
2503 support the Jeffries-Lieu resolution of inquiry. It is the
2504 right thing to do for this committee. It is the right thing
2505 to do for the American people, and if we do not support this
2506 resolution, then it shows the American people that politics
2507 trumps, and no pun intended, the truth. Since January 20th,
2508 the truth has been battered, beaten, and bruised. Will the
2509 truth survive for the next 4 years under this
2510 administration? That is the question that we must answer.
2511 I ask my colleagues, I beg my colleagues --

2512 Chairman Goodlatte. The time of the gentleman has
2513 expired.

2514 Mr. Johnson of Georgia. -- to support this resolution.
2515 And with that I yield back.

2516 Chairman Goodlatte. For what purpose does the
2517 gentleman from Rhode Island seek recognition?

2518 Mr. Cicilline. I move to strike the last word, Mr.
2519 Chairman.

2520 Chairman Goodlatte. The gentleman is recognized for 5
2521 minutes.

2522 Mr. Cicilline. Mr. Chairman, Democrats and Republicans
2523 can have differences on public policy, but I know there is
2524 no difference in our love of our country and our commitment
2525 to protect our democracy, particularly to protect our

2526 democracy from foreign adversaries. And I know that we all
2527 will always put our country ahead of our political party,
2528 and so I implore my Republican colleagues to support this
2529 resolution. And I really want to thank and acknowledge the
2530 extraordinary leadership of Mr. Jeffries and Mr. Lieu for
2531 bringing forward this resolution. I think history is going
2532 to judge very harshly those who refuse to demand that we
2533 follow the facts and get to the bottom of all of this.

2534 So, what are the facts? Attorney General Jeff Sessions
2535 was asked twice about his contacts with Russian officials
2536 during his confirmation hearing in January of 2017. Both
2537 times he failed to acknowledge meetings he had with Russia's
2538 Ambassador to the United States.

2539 In a written questionnaire, he also said in response to
2540 a question, had he been in contact with the Russian
2541 Government about the 2016 election before or after election
2542 day, and he gave the answer, "No." When asked by Senator
2543 Franken about the Kremlin's ties to the Trump campaign, he
2544 said, "I have been called a surrogate a time or two in the
2545 campaign, but I did not have communications with the
2546 Russians and I am unable to comment on it."

2547 The truth is we know that Senator Sessions was more
2548 than just one of many Trump campaign surrogates. He was the
2549 first sitting United States Senator to endorse Donald Trump
2550 for President. He served as chairman of the campaign's

2551 National Security Advisory Committee. But contrary to his
2552 sworn statements to Congress, we have recently learned that
2553 Senator Sessions did meet with Russian Ambassador Sergey
2554 Kislyak twice during the presidential campaign. He later
2555 claimed these meetings only took place as part of his work
2556 on the Senate Armed Services Committee. But you know, facts
2557 are stubborn things.

2558 The truth is the first of these meetings took place at
2559 last year's Republican National Convention, where Sessions
2560 attended as a surrogate for the Trump campaign. His
2561 political campaign fund paid for the expenses at the
2562 convention. These are clearly beyond the scope of his
2563 responsibilities as United States Senator.

2564 The next meeting, we know, took place on September 8th
2565 at Senator Sessions' office. I am concerned about these
2566 because in addition to withholding these meetings from
2567 public scrutiny, Attorney General Sessions has apparently
2568 had a real change of heart about American foreign policy
2569 toward Russia.

2570 In 2008, following acts of Russian aggression in
2571 Georgia, then-Senator Sessions spoke on the Senate floor,
2572 saying, "Russia's recent actions in Georgia remind us that
2573 this country might be seeking to restore old Soviet ideals
2574 of dominance throughout their neighbors and in Eastern
2575 Europe, all of which should serve as motivation to move

2576 ahead with the necessary capabilities to defend ourselves
2577 and our allies from missile attack."

2578 Then, in 2010, he voted against the New START treaty:
2579 "I am deeply disappointed the Russians have been so
2580 intransigent, hardheaded about this treaty and other
2581 relations with the United States. If they have nothing to
2582 hide, what is going on here?"

2583 And then, in 2014, following more acts of Russian
2584 aggression in Ukraine and Georgia, Senator Sessions called
2585 for deep sanctions, saying that a systematic effort should
2586 be undertaken so that Russia feels pain for this. And
2587 again, in 2015, before Donald Trump was a candidate for
2588 president and before Russia released hacked documents for
2589 the Democratic National Committee and John Podesta, Senator
2590 Sessions again argued for sanctions, saying it needs to be
2591 clear that Russia knows that there will be a high price to
2592 pay if their behavior continues.

2593 But one year later, in March of 2016, shortly after he
2594 endorsed Donald Trump, Senator Sessions started seeing eye-
2595 to-eye with the Kremlin, saying, and I quote, "I think an
2596 argument can be made that there is no reason for the U.S.
2597 and Russia to be at this loggerhead. Somehow, someday, we
2598 ought to be able to break that logjam." And then in July of
2599 last year, he said, "The big issue is can we, should we, be
2600 able to create a new and positive relationship with Russia?"

2601 This is quite a change of heart.

2602 More and more comes out each day about this
2603 administration's ties to Vladimir Putin's regime. We have
2604 learned that Jared Kushner, Michael Flynn, Carter Page, and
2605 J.D. Gordon have all met with Ambassador Kislyak. But given
2606 that President Trump is still refusing to disclose his tax
2607 returns, we are still in the dark about the full extent of
2608 these connections. This all raises questions we need to
2609 urgently answer.

2610 Why did Sessions fail to tell the whole truth during
2611 his confirmation hearing? What did he discuss with the
2612 Ambassador? How is that a Senator with 20 years of
2613 experience on the Armed Services Committee all of a sudden
2614 became a dove towards one of our most hostile adversaries?
2615 This is not something I take lightly. The Attorney General
2616 has to be held to a higher standard. We must get this
2617 information.

2618 This resolution is an important step to understanding
2619 the connections between the Attorney General, this
2620 administration, and Putin's Russia. I urge my colleagues, I
2621 beg my colleagues, I implore my colleagues to support this
2622 amendment and help us get to the bottom of this. The
2623 American people deserve answers. And with that I yield
2624 back.

2625 Mr. Sensenbrenner. [Presiding] The time of the

2626 gentleman has expired.

2627 Mr. Swalwell. Mr. Chairman?

2628 Mr. Sensenbrenner. For what purpose does the gentleman
2629 from California seek recognition?

2630 Mr. Swalwell. Mr. Chairman, I move to strike the last
2631 word.

2632 Mr. Sensenbrenner. The gentleman is recognized for 5
2633 minutes.

2634 Mr. Swalwell. Mr. Chairman, this past election our
2635 democracy was attacked and our Nation's leaders are failing
2636 to do our job to find out just exactly how that happened,
2637 whether any U.S. persons were responsible, and most
2638 importantly, what can we do to make sure we are never in a
2639 mess like this again. Because regardless of what side you
2640 are on on this debate, I am sure everyone agrees Russia is
2641 winning. They are winning right now. They are celebrating
2642 the discord and divide in our country. This is exactly what
2643 they intended to do.

2644 People at home, our constituents, they are asking,
2645 "What are you going to do about it? Are you going to let
2646 this attack go unanswered? Are you going to allow people
2647 who were involved to not be held accountable, or will you
2648 show leadership?" Unfortunately, right now the House
2649 Intelligence Committee's investigation has stalled. We are
2650 going down a bipartisan investigative road together.

2651 We had a productive week last week when we had an open
2652 hearing for the FBI Director and Admiral Rogers. We learned
2653 about dots that continued to connect Donald Trump, his
2654 family, his businesses, and his campaigns, personal,
2655 political, and financial ties to Russia that were converging
2656 at the same time with Russia's interference in our campaign.
2657 Our concerns were validated by the FBI Director confirming
2658 that there were counterintelligence and criminal
2659 investigations into the President's campaign.

2660 Unfortunately, our chairman exited that bipartisan road
2661 and our investigation is stalled. But as members of the
2662 Judiciary Committee, we have an opportunity right now to do
2663 a small piece of this investigation to understand why, when
2664 asked under oath, the Attorney General misled his Senate
2665 confirmation panel about prior contacts with Russia. And
2666 perhaps just one person in the administration misleading
2667 about prior contacts with Russia could be excused with an
2668 innocent explanation. I think we are all willing to accept
2669 that. However, when you put this in context you do not see
2670 coincidences; you see a pattern of deception.

2671 You see the National Security Adviser, Michael Flynn,
2672 who lied to the Vice President about his prior contacts with
2673 Russia as he was trying to wink and nod that the U.S. policy
2674 of sanctions toward Russia would be changed. You see Jared
2675 Kushner not disclosing that during his time as a transition

2676 team member, and also somebody still associated with Kushner
2677 Properties, he was meeting with a sanctioned Russian bank,
2678 something that was only disclosed this week when he was
2679 asked to provide testimony to the Senate Intelligence
2680 Committee.

2681 And most disturbing is the President of the United
2682 States accused our former President of wiretapping him, a
2683 deceitful claim that has been repudiated across the board by
2684 every intelligence official who would have access to his
2685 claim.

2686 So when you put all of this together, you do not have
2687 coincidences; you have a pattern. And what this committee
2688 should seek to do is to understand what does that pattern
2689 mean. How does it relate to the attack we saw in our past
2690 election? Every jury in America and every courtroom in
2691 America is told that if a witness deliberately lies about an
2692 important fact in an investigation, you can use that not
2693 only as a consciousness of guilt, but you can choose not to
2694 believe anything that person says with respect to the
2695 investigation.

2696 We have a lot of questions for people associated with
2697 Donald Trump and his campaign and their ties to Russia, and
2698 their ties that are followed by deceit about those ties.
2699 And so, it is our committee's responsibility to get to the
2700 bottom of that. As Mr. Cicilline said, we have a model of

2701 this. After September 11th, our country was attacked.
2702 Republicans and Democrats united on the Capitol steps, arm
2703 in arm, they sang "God Bless America."

2704 But what they did after was even more important than
2705 that moment of unity: They went to work. They put politics
2706 aside. They made important reforms to make sure we would
2707 never be attacked in the skies again and they had a parallel
2708 independent commission. We have a model of how we can work
2709 together when our country is attacked and I hope my
2710 colleagues on the other side join us. I yield back.

2711 Ms. Jayapal. Mr. Chairman?

2712 Mr. Sensenbrenner. For what purpose does the
2713 gentlewoman from Washington seek recognition?

2714 Ms. Jayapal. I move to strike the last word, Mr.
2715 Chairman.

2716 Mr. Sensenbrenner. The gentlewoman is recognized for 5
2717 minutes.

2718 Ms. Jayapal. Thank you. I am very proud to rise in
2719 strong support of my colleagues', Representative Jeffries'
2720 and Representative Lieu's, resolution today and I thank them
2721 for offering this. I do believe that our democracy faces a
2722 crisis of trust. We have the American people unsure of who
2723 and what to believe, unsure of whether we in Congress are
2724 taking our responsibilities of accountability seriously, and
2725 the reality of numerous reports every day. It is difficult

2726 to go to sleep at night and know what you are going to wake
2727 up to. You feel as if a whole news cycle of 30 days has
2728 preceded in the course of 5 or 6 hours.

2729 I think the big questions right now are when we see
2730 people lying under oath, such as the Attorney General, in
2731 whose interest are they operating? Why would they lie about
2732 connections or conversations with the Russian Government?
2733 We are not necessarily saying that nobody should have any
2734 kind of a conversation. But when somebody lies under oath
2735 and perjures themselves, you have to wonder why. And what
2736 is being promised or offered in those conversations that
2737 people choose not to share what they spoke about?

2738 We have heard, through my colleagues on this committee,
2739 the numerous occasions in which Jeff Sessions, in his Senate
2740 confirmation process, had a couple of opportunities to set
2741 the record straight, and he did not take any of those.

2742 When he told Senator Franken that he was, quote, "not
2743 aware" of any of the Trump campaign's communications with
2744 Russia, and he even specifically mentioned that he served as
2745 a Trump campaign surrogate, but said, quote, "I did not have
2746 communications with the Russians," and then later, 1 week
2747 later, in writing he reiterated this position in response to
2748 a question from Senator Leahy directly about whether he,
2749 himself, had contact with anyone connected to any part of
2750 the Russian Government, and his response was just one word:

2751 No.

2752 As a lawyer and a long-term member of Congress who has
2753 participated in many confirmation hearings, Jeff Sessions
2754 should know better, and indeed, he does know better. These
2755 are all quotes from 1999 from Jeff Sessions. This is a
2756 quote: "As United States attorney, it was my decision
2757 whether an officer who had told a plain lie under oath, even
2758 a young officer, should be prosecuted in order to preserve
2759 the rule of law and the integrity of the system." Here is
2760 another one: "As one who loves the law and who has spent the
2761 better part of his professional career trying cases, I
2762 understand in a profound way just how important it is for
2763 justice that citizens tell the truth in court."

2764 He went on to say, "As a Federal prosecutor, I
2765 presented thousands of cases to a grand jury and tried
2766 hundreds. On many occasions I have seen witnesses tell the
2767 truth, even when it was very painful for them. Such
2768 integrity is a source of great strength for our country.
2769 The rule of law and the need for integrity in our justice
2770 system is why perjury cases are prosecuted in America."

2771 Another quote: "I have no doubt that perjury qualifies
2772 under the Constitution as a high crime. It goes to the
2773 heart of the judicial system."

2774 Mr. Chairman, I am deeply disturbed that this man, who
2775 clearly understands the seriousness of perjury, or at least

2776 did, until he was up for confirmation and now in his
2777 position as Attorney General, would now refuse to tell the
2778 truth. How can we expect such a person to serve as our
2779 Nation's top prosecutor, and what do we tell our children
2780 about the importance of telling the truth when the top law
2781 enforcement officer of this country does not feel the need
2782 himself to tell the truth?

2783 Mr. Sensenbrenner. Will the gentlewoman from
2784 Washington yield?

2785 Ms. Jayapal. I would like to take a few more seconds
2786 of my time to finish my statement and then I would be happy
2787 to yield, Mr. Chairman.

2788 Mr. Sensenbrenner. Go ahead.

2789 Ms. Jayapal. Thank you. We have seen time and time
2790 again how the President and his associates have repeatedly
2791 denied any wrongdoing when it comes to Russia. We have
2792 heard about Michael Flynn, Jared Kushner, Carter Page, and
2793 Roger Stone, and I hope that this Attorney General's conduct
2794 would be concerning to all. This resolution just asks for
2795 information and I hope that we would, in a bipartisan way,
2796 agree to that.

2797 Mr. Chairman, I yield for your question.

2798 Mr. Sensenbrenner. Without objection, the gentlewoman
2799 will be given an additional minute.

2800 Ms. Jayapal. Thank you, Mr. Chairman.

2801 Mr. Sensenbrenner. Does the gentlewoman from
2802 Washington recall what this committee impeached President
2803 Clinton for?

2804 Ms. Jayapal. Mr. Chairman, I am sure that you recall
2805 it since you would like to inform the audience of that, so
2806 please go ahead.

2807 Mr. Sensenbrenner. Well, he was impeached for grand
2808 jury perjury and also for civil deposition perjury. The
2809 grand jury perjury went to the Senate. The civil deposition
2810 perjury count was not approved by the House, but after the
2811 impeachment was all over with, the presiding judge at the
2812 deposition found that the President had not told the truth
2813 and ordered him to pay \$90,000 to the plaintiff in that case
2814 and sent the certification to the Arkansas Supreme Court,
2815 which I believe disbarred him for that.

2816 Ms. Jayapal. Mr. Chairman, if I could respond with an
2817 additional minute if you would grant me that.

2818 Mr. Sensenbrenner. Of course.

2819 Ms. Jayapal. Thank you so much, Mr. Chairman.

2820 Mr. Sensenbrenner. Without objection.

2821 Ms. Jayapal. I assume that that means that you would
2822 be in support then of this resolution because, in fact, this
2823 resolution is going to the point of what I believe you were
2824 trying to get at, which is that people impeached President
2825 Clinton, or did not vote for that, which I assume you are

2826 saying was not a good thing if somebody voted against that
2827 impeachment. I believe that we are here to do the right
2828 thing and if you believe, too, that when somebody lies under
2829 oath it is, in fact, a perjury that we should take
2830 seriously, then I would ask you, Mr. Chairman, if you plan
2831 to vote for this resolution.

2832 Mr. Sensenbrenner. I intend to vote to report the
2833 resolution adversely.

2834 Ms. Jayapal. I was hoping, Mr. Chairman, that given
2835 your question, which set up perfectly my response, that you
2836 would now say that you are on board in a bipartisan way with
2837 Mr. Jeffries' and Mr. Lieu's resolution that would actually
2838 hold us in Congress accountable for holding people
2839 accountable if they do not tell the truth, especially in a
2840 confirmation.

2841 Mr. Sensenbrenner. If the gentlewoman will yield
2842 again, this resolution does not seem to be very bipartisan.
2843 I would urge her as a new member, if you want to get things
2844 passed, make them bipartisan.

2845 Mr. Deutch. Will the gentleman yield?

2846 Mr. Sensenbrenner. The time belongs to the gentlewoman
2847 from Washington, which has expired.

2848 For what purpose does the gentleman from Florida seek
2849 recognition?

2850 Mr. Deutch. I move to strike the last word, Mr.

2851 Chairman.

2852 Mr. Sensenbrenner. The gentleman is recognized for 5
2853 minutes.

2854 Mr. Deutch. Mr. Chairman, your suggestion that the
2855 failure to have bipartisan support for this resolution is
2856 somehow the fault of my friend from Washington, I think, is
2857 not only unfair to her but really raises the fundamental
2858 problem that this committee is struggling with. In fact, it
2859 raises the fundamental problem that the House is struggling
2860 with.

2861 The last time we had a hearing like this with a markup,
2862 Mr. Chairman, on a similar resolution to ask for additional
2863 information that would help us better understand the serious
2864 concerns that we have about what happened before the
2865 election and since, with respect to the Trump campaign and
2866 the White House, we were told, as I recall, in that hearing
2867 that this was somehow about political gamesmanship, that we
2868 were told -- I believe, one of our colleagues from across
2869 the aisle suggested that we were still working through the
2870 stages of grief. Our mental state was questioned at that
2871 markup, as I recall.

2872 Mr. Chairman, the fact is that there has been nothing
2873 that has transpired since that last markup that has done
2874 anything other than further bolster the need for us to get
2875 the information that the American people need to have. And,

2876 with that, Mr. Chairman, I would like to yield some time to
2877 my friend from New York, Mr. Jeffries.

2878 Mr. Jeffries. I thank the distinguished gentleman from
2879 Florida for his very eloquent remarks, and Mr. Chairman, for
2880 the life of me I have not been able to figure out why we
2881 have not been able to secure bipartisan cooperation on what
2882 is really simply just a search for the truth.

2883 This is not an Article of Impeachment. I do not really
2884 understand the comparison to what took place with President
2885 William Jefferson Clinton. This is not even a censure
2886 resolution, which somehow House Republicans thought was
2887 appropriate based on their disdain for the great Attorney
2888 General Eric Holder. This is a resolution of inquiry
2889 anchored in the fact that we actually have an ongoing
2890 criminal investigation into potential collusion between
2891 Putin's Russia and folks on the Trump campaign.

2892 Were these actually low-level volunteer intern types,
2893 as someone from the White House seemed to suggest? No. At
2894 the same time that 17 different intelligence agencies
2895 concluded that Russia was interfering with our election for
2896 the purpose of helping Donald Trump, high-level Trump
2897 cronies were having conversations with Russian intelligence
2898 operatives.

2899 Who were those individuals? Michael Cohen, his
2900 personal lawyer; Jared Kushner, his son-in-law and Senior

2901 White House Advisor; Paul Manafort, the campaign chairman;
2902 Jeff Sessions, his future Attorney General; Michael Flynn,
2903 his National Security Adviser; Roger Stone, all of us from
2904 New York know, a close friend and ally of Donald Trump;
2905 Carter Page, his top Foreign Policy Advisor. All having
2906 conversations at the same time that 17 different
2907 intelligence agencies concluded Russia was hacking into our
2908 election.

2909 Is this a politically charged resolution of inquiry, or
2910 is it a search for the truth, where we would welcome
2911 bipartisan cooperation? We cannot even figure out, why is
2912 Donald Trump hiding his taxes, the first President since
2913 Richard Nixon to do so? Why in the world will Donald Trump
2914 not say a negative thing about Vladimir Putin, who I think
2915 my friends on the other side of the aisle understand, is a
2916 thug and a dictator?

2917 He says a negative word about all of our allies:
2918 Britain, France, Australia, Mexico, NATO, the European
2919 Union; he cannot say a negative thing about Vladimir Putin.
2920 In fact, he suggests that there is a moral equivalence
2921 between Putin's brutal regime and the United States of
2922 America to, of all people, Bill O'Reilly, on FOX News.

2923 I would suggest that we are in the midst of an epic
2924 struggle between authoritarianism and democracy. We
2925 defeated communism and proved that capitalism was more

2926 resilient, and I would just urge all my colleagues on the
2927 other side of the aisle to help us make sure that democracy
2928 defeats authoritarianism this time around. I yield back.

2929 Chairman Goodlatte. For what purpose does the
2930 gentleman from Texas seek recognition?

2931 Mr. Gohmert. I have an amendment at the desk.

2932 Chairman Goodlatte. The clerk will report the
2933 amendment.

2934 Ms. Adcock. Amendment to the amendment in the nature
2935 of a substitute to H. Res. 184 offered by Mr. Gohmert of
2936 Texas. Page 3 --

2937 [The amendment of Mr. Gohmert follows:]

2938 ***** COMMITTEE INSERT *****

2939 Chairman Goodlatte. Without objection, the amendment
2940 is considered as read and the gentleman is recognized for 5
2941 minutes.

2942 Mr. Gohmert. Thank you, Mr. Chairman. Since we are
2943 quite concerned now, many of us have been, about Russia, for
2944 decades, I am thrilled with the newfound concern about
2945 Russia from my colleagues across the aisle. And though I
2946 had been an exchange student for a summer to the real Soviet
2947 Union back in the day, many years ago -- I spoke some
2948 Russian -- I did learn from that trip there was plenty to be
2949 concerned about with the Russians.

2950 And so there was an article from, of all places, the
2951 New York Times. It is not always the bastion of
2952 truthfulness these days, but this article from April 23,
2953 2015, Jo Becker and Mike McIntire -- I would ask it be made
2954 part of the record. It says, "At the heart of the tale are
2955 several men, leaders of the Canadian mining industry who
2956 have been major donors to charitable endeavors of former
2957 President Bill Clinton and his family. Members of that
2958 group built, financed, and eventually sold off to the
2959 Russians a company that would eventually become known as
2960 Uranium One. Beyond mines in Kazakhstan that are among the
2961 most lucrative in the world, the sale gave the Russians
2962 control of one-fifth of all uranium production capacity in
2963 the United States. Since uranium is considered a strategic

2964 asset with implications for national security, the deal had
2965 to be approved by a committee composed of representatives
2966 from a number of United States Government agencies."

2967 Not Congress, but agencies. "Among the agencies that
2968 eventually signed off was the State Department headed by Mr.
2969 Clinton's wife Hillary Rodham Clinton. As the Russians
2970 gradually assumed control of Uranium One in three separate
2971 transactions from 2009 to 2013, Canadian records show a flow
2972 of cash made its way to the Clinton Foundation. Uranium
2973 One's chairman used his family foundation to make four
2974 donations totaling \$2.35 million. Those contributions were
2975 not publicly disclosed by the Clintons, despite an agreement
2976 Mrs. Clinton had struck with the Obama White House to
2977 publicly identify all donors. Other people with ties to the
2978 company made donations as well."

2979 It goes on to say, "At the time, both Rosatom and the
2980 United States Government made promises intended to ease
2981 concerns about ceding control of the company's assets to the
2982 Russians. Those promises have been repeatedly broken,
2983 records show."

2984 It goes on further to say, "When the Uranium One deal
2985 was approved" -- that is Mrs. Clinton's State Department
2986 that approved the deal -- "the geopolitical backdrop was far
2987 different from today. The Obama administration was seeking
2988 to reset strange relations with Russia."

2989 So, it was not the Trumps that went over and belittled
2990 the Bush administration's adverse reaction and principle
2991 stand against Russia's assault on Georgia. That was a
2992 principle stand by the George W. Bush administration, which
2993 was completely belied and besmirched by the State Department
2994 Secretary Hillary Clinton in saying we want to reset the
2995 relationship even though they did not know the word for
2996 "reset."

2997 The article said, "The deal was strategically important
2998 to Mr. Putin, who, shortly after the Americans gave their
2999 blessing," meaning Secretary Clinton, "sat down for a staged
3000 interview with Rosatom's Chief Executive Sergey Kiriyenko,
3001 who said, 'Few could have imagined in the past we would own
3002 20 percent of U.S. reserves,'" he "told Mr. Putin." That
3003 is Russia owning our reserves.

3004 So the article is quite telling, and there is massive
3005 amounts of money that enrich the Clinton Foundation and the
3006 Clintons, and I also want us not to forget that it was this
3007 committee that still has not heard back from the United
3008 States Attorney for the District of Columbia on Secretary
3009 Clinton's sworn testimony in which she clearly perjured
3010 herself regarding her use of a private email server.

3011 So, these are very, very disturbing developments. I am
3012 very pleased that my colleagues across the aisle are now
3013 concerned about Russia, possibly as much as I have been for

3014 much of my life, and I would ask that this amendment be made
3015 part of the amendment to the amendment in the nature of a
3016 substitute so that get to the bottom of it, and I yield
3017 back.

3018 Chairman Goodlatte. Would the gentleman yield?

3019 Mr. Gohmert. I yield to the chairman.

3020 Chairman Goodlatte. And without objection the chair
3021 would be happy to recognize the gentleman for 2 additional
3022 minutes so he can also yield to the -- first of all, I
3023 appreciate the gentleman's amendment. The problem is that a
3024 resolution of inquiry is an inappropriate and really
3025 ineffective method for conducting effective oversight. That
3026 is why I oppose the underlying resolution; it is why I will
3027 vote to report it as unfavorably, and I encourage my
3028 colleagues to do the same.

3029 And I am happy to work with the gentleman from Texas;
3030 however, on his specific concern, as this committee moves
3031 forward with its oversight work, I think his concerns are
3032 legitimate, and as the gentleman knows, I share them.
3033 Despite our efforts, this committee has never had a full
3034 accounting of the Clinton Foundation's work and its foreign
3035 contacts. If the gentleman were to agree to withdraw the
3036 amendment, I would be happy to continue working with him to
3037 address those concerns and any others he has through
3038 legitimate means of congressional oversight.

3039 Now, let me add to that, because folks on the other
3040 side have said we are not doing anything; that is not true.
3041 First of all, at the last resolution of inquiry considered
3042 by this committee, both the minority and the majority sent
3043 letters to the Justice Department. Following the sending of
3044 that letter, the ranking member and the chair were briefed
3045 in a classified setting by the director with regard to the
3046 issues at hand in that resolution, which are very similar to
3047 the ones in this one. And while I cannot disclose the
3048 classified information discussed in that briefing, I can say
3049 that the following Monday, a hearing was held in the House
3050 Intelligence Committee at which the director publicly
3051 confirmed that an investigation is ongoing into some of the
3052 matters that are subject of this.

3053 Secondly, the offense that occurred here, unlike when
3054 the former Attorney General Mr. Holder came before this
3055 committee and testified and his testimony was questioned,
3056 the offense occurred in the Senate Judiciary Committee, and
3057 the Attorney General has since clarified his statements and
3058 the Senate Judiciary Committee has said, "We are not going
3059 to pursue this any further."

3060 At the same time, the Intelligence Committee in the
3061 House and the Intelligence Committee in the Senate are
3062 conducting investigations, and that is a strong indication
3063 that this matter is being pursued both by the administration

3064 and by the legislative branch. So, I do not see any point
3065 to this resolution inquiry other than as a fishing
3066 expedition for political purposes, and that is why I will
3067 vote to report it unfavorably. But if the gentleman would -
3068 -

3069 Mr. Gohmert. Mr. Chairman, I know you to be a man of
3070 your word; you would give me your word you will work with us
3071 in pursuing the basis for my amendment, and with that basis
3072 I will withdraw the amendment, and I thank the chairman.

3073 Chairman Goodlatte. The chair thanks the gentleman.

3074 Mr. Gohmert. Mr. Chairman, did you make the article a
3075 part of the record?

3076 Chairman Goodlatte. Without objection, that will be
3077 made a part of the record.

3078 [The information follows:]

3079 ***** COMMITTEE INSERT *****

3080 Chairman Goodlatte. Who seeks recognition? The
3081 question occurs on the amendment in the nature of a
3082 substitute offered by the chair.

3083 All those in favor respond by saying aye.

3084 Those opposed, no.

3085 The amendment in the nature of a substitute is agreed
3086 to.

3087 A reporting quorum being present, the question is on
3088 the motion to report the bill H. Res. 184 as amended
3089 unfavorably to the House.

3090 Those in favor will say aye.

3091 Those opposed, no.

3092 The ayes have it, and the bill, as amended, is ordered
3093 reported unfavorably. A recorded vote is requested, and the
3094 clerk will call the roll.

3095 Ms. Adcock. Mr. Goodlatte?

3096 Chairman Goodlatte. Aye.

3097 Ms. Adcock. Mr. Goodlatte votes aye.

3098 Mr. Sensenbrenner?

3099 Mr. Sensenbrenner. Aye.

3100 Ms. Adcock. Mr. Sensenbrenner votes aye.

3101 Mr. Smith?

3102 [No response.]

3103 Mr. Chabot?

3104 [No response.]

3105 Mr. Issa?
3106 [No response.]
3107 Mr. King?
3108 [No response.]
3109 Mr. Franks?
3110 Mr. Franks. Aye.
3111 Ms. Adcock. Mr. Franks votes aye.
3112 Mr. Gohmert?
3113 Mr. Gohmert. Aye.
3114 Ms. Adcock. Mr. Gohmert votes aye.
3115 Mr. Jordan?
3116 [No response.]
3117 Mr. Poe?
3118 [No response.]
3119 Mr. Chaffetz?
3120 Mr. Chaffetz. Aye.
3121 Ms. Adcock. Mr. Chaffetz votes aye.
3122 Mr. Marino?
3123 [No response.]
3124 Mr. Gowdy?
3125 [No response.]
3126 Mr. Labrador?
3127 [No response.]
3128 Mr. Farenthold?
3129 [No response.]

3130 Mr. Collins?

3131 Mr. Collins. Aye.

3132 Ms. Adcock. Mr. Collins votes aye.

3133 Mr. DeSantis?

3134 [No response.]

3135 Mr. Buck?

3136 Mr. Buck. Aye.

3137 Ms. Adcock. Mr. Buck votes aye.

3138 Mr. Ratcliffe?

3139 Mr. Ratcliffe. Yes.

3140 Ms. Adcock. Mr. Ratcliffe votes yes.

3141 Ms. Roby?

3142 Ms. Roby. Aye.

3143 Ms. Adcock. Ms. Roby votes aye.

3144 Mr. Gaetz?

3145 Mr. Gaetz. Aye.

3146 Ms. Adcock. Mr. Gaetz votes aye.

3147 Mr. Johnson of Louisiana?

3148 Mr. Johnson of Louisiana. Aye.

3149 Ms. Adcock. Mr. Johnson votes aye.

3150 Mr. Biggs?

3151 Mr. Biggs. Aye.

3152 Ms. Adcock. Mr. Biggs votes aye.

3153 Mr. Conyers?

3154 Mr. Conyers. No.

3155 Ms. Adcock. Mr. Conyers votes no.
3156 Mr. Nadler?
3157 Mr. Nadler. No.
3158 Ms. Adcock. Mr. Nadler votes no.
3159 Ms. Lofgren?
3160 [No response.]
3161 Ms. Jackson Lee?
3162 [No response.]
3163 Mr. Cohen?
3164 Mr. Cohen. No.
3165 Ms. Adcock. Mr. Cohen votes no.
3166 Mr. Johnson of Georgia?
3167 [No response.]
3168 Mr. Deutch?
3169 Mr. Deutch. No.
3170 Ms. Adcock. Mr. Deutch votes no.
3171 Mr. Gutierrez?
3172 [No response.]
3173 Ms. Bass?
3174 [No response.]
3175 Mr. Richmond?
3176 [No response.]
3177 Mr. Jeffries?
3178 Mr. Jeffries. No.
3179 Ms. Adcock. Mr. Jeffries votes no.

3180 Mr. Cicilline?
3181 Mr. Cicilline. No.
3182 Ms. Adcock. Mr. Cicilline votes no.
3183 Mr. Swalwell?
3184 Mr. Swalwell. No.
3185 Ms. Adcock. Mr. Swalwell votes no.
3186 Mr. Lieu?
3187 Mr. Lieu. No.
3188 Ms. Adcock. Mr. Lieu votes no.
3189 Mr. Raskin?
3190 Mr. Raskin. No.
3191 Ms. Adcock. Mr. Raskin votes no.
3192 Ms. Jayapal?
3193 Ms. Jayapal. No.
3194 Ms. Adcock. Ms. Jayapal votes no.
3195 Mr. Schneider?
3196 Mr. Schneider. No.
3197 Ms. Adcock. Mr. Schneider votes no.
3198 Chairman Goodlatte. The gentleman from Idaho.
3199 Mr. Labrador. Yes.
3200 Ms. Adcock. Mr. Labrador votes yes.
3201 Chairman Goodlatte. The gentleman from Utah. The
3202 gentleman from South Carolina.
3203 Mr. Gowdy. Yes.
3204 Ms. Adcock. Mr. Gowdy votes yes.

3205 Chairman Goodlatte. The gentleman from Ohio.

3206 Mr. Jordan. Yes.

3207 Ms. Adcock. Mr. Jordan votes yes.

3208 Chairman Goodlatte. Has the gentleman from Texas, Mr.

3209 Ratcliffe, voted?

3210 Mr. Ratcliffe. Yes.

3211 Chairman Goodlatte. The clerk will report.

3212 Mr. Nadler. Mr. Chairman.

3213 Chairman Goodlatte. For what purpose does the

3214 gentleman from New York seek recognition?

3215 Mr. Nadler. Ask how I am recorded.

3216 Chairman Goodlatte. The gentleman is recorded as a no.

3217 Mr. Nadler. Thank you very much.

3218 Chairman Goodlatte. The gentleman from New York is

3219 recorded as a no. The gentleman from Rhode Island is

3220 recorded as a no.

3221 Ms. Adcock. Mr. Chairman, 15 members voted aye, 11

3222 members voted no.

3223 Chairman Goodlatte. The ayes have it, and the bill as

3224 amended is ordered reported unfavorably to the House.

3225 Members will have 2 days to submit views. Without

3226 objection, the bill will be reported as a single amendment

3227 in the nature of a substitute incorporating all adopted

3228 amendments, and staff is authorized to make technical and

3229 conforming changes.

3230 The committee is advised that there is a vote on the
3231 floor of the House with 12 minutes remaining, but we do have
3232 one more resolution of inquiry. So the committee will
3233 proceed with opening statements on that, and then we will
3234 reconvene following the last vote in this series.

3235 Pursuant to notice, I now call up H. Res. 203 for
3236 purposes of markup and move that the committee report the
3237 bill unfavorably to the House. The clerk will report the
3238 bill.

3239 Ms. Adcock. H. Res. 203 of inquiry requesting the
3240 President, and directing the Attorney General, to transmit,
3241 respectively, certain documents to the House of
3242 Representatives relating to certain communications by the
3243 President of the United States.

3244 [The bill follows:]

3245 ***** INSERT 4 *****

3246 Chairman Goodlatte. Without objection, the amendment
3247 is considered as read and open for amendment at any time. I
3248 will begin by recognizing myself for an opening statement.

3249 The second resolution of inquiry that we must consider
3250 today is House Resolution 203, which was introduced on March
3251 16th by Representative Quigley. This resolution requests
3252 information related to statements communicated via Twitter
3253 by the President with regard to the alleged surveillance of
3254 individuals at Trump Tower.

3255 As with the resolution of inquiry that we just
3256 considered, this resolution in no way compels the protection
3257 of information. It is akin to sending the administration a
3258 letter requesting the information.

3259 Moreover, as with the previous resolution, this
3260 resolution comes on top of an already-existing investigation
3261 into the matter by both the House and Senate Intelligence
3262 Committees. It is unclear whether the FBI and the Justice
3263 Department are also investigating the matter covered by the
3264 resolution, but what is clear is that this resolution is
3265 unnecessary and premature, given that the Committees of
3266 Jurisdiction in both the House and Senate are already
3267 investigating and have the full authority to compel the
3268 production of any needed documents.

3269 Furthermore, given that the information sought in this
3270 resolution is almost certainly classified, the overly broad

3271 request contained in the resolution would appear to be
3272 inappropriate.

3273 As I noted, regarding the resolution of inquiry that we
3274 just debated, we do not need to insert a nonbinding
3275 resolution of inquiry into the middle of at least two
3276 ongoing investigations into the matter. Moreover, with
3277 respect to the agency that this committee has primary
3278 jurisdiction over, the Department of Justice, we know that
3279 it does not have the information sought by this resolution.
3280 We know this because Director Comey testified before the
3281 House Intelligence Committee last week that, and I quote,
3282 "With respect to the President's tweets about alleged
3283 wiretapping directed at him by the prior administration, I
3284 have no information that supports those tweets, and we have
3285 looked carefully inside the FBI. The Department of Justice
3286 has asked me to share with you that the answer is the same
3287 for the Department of Justice and all its components. The
3288 Department has no information that supports those tweets."

3289 Given director Comey's statement to the House
3290 Intelligence Committee last week, it is clear that the
3291 documents requested by this resolution are not in the
3292 possession of the Justice Department. This committee is
3293 exercising oversight into all aspects related to the
3294 potential Russian interference in the election and leaks of
3295 classified information by individuals with access to

3296 classified information; we intend to conduct this oversight
3297 objectively, using the oversight tools already at the
3298 committee's disposal, but without resort to hollow,
3299 unnecessary resolutions of inquiry like the one before us.

3300 I urge my colleagues to join me in voting to report
3301 this resolution unfavorably, and will yield to the ranking
3302 member once we have reconvened. But at this point, because
3303 there are votes on the floor, the committee will stand in
3304 recess until the completion of this series of votes.

3305 [Recess.]

3306 Chairman Goodlatte. The committee will reconvene.
3307 When the committee recessed prior to the last series of
3308 votes, we were considering H. Res. 203, and I had given my
3309 opening statement, and I now recognize the ranking member of
3310 the committee, Mr. Conyers, for his opening statement.

3311 Mr. Conyers. Thank you, Mr. Chairman. Members of the
3312 committee, I urge you all to consider and support House
3313 Resolution 203, brought by our colleague from Illinois, Mr.
3314 Quigley, a former member of this committee, who has been
3315 with us for a long period in the audience today.

3316 President Trump has a long, colorful history of saying
3317 things that are simply untrue. The crowd at his
3318 inauguration was not the largest in history. He did not win
3319 the electoral college by historic margins. He also did not
3320 win the popular vote, nor has he ever offered a shred of

3321 evidence that 3 million people voted illegally for Secretary
3322 Clinton in the last election.

3323 In the predawn hours of March 4, 2017, President Trump
3324 took to Twitter and proclaimed, "President Obama was tapping
3325 my phones in October." He directed the statement at
3326 President Obama personally: "How low has President Obama
3327 gone to tap my phones during the very sacred election
3328 process? This is Nixon Watergate. Bad guy."

3329 To be clear, this accusation is plainly false. There
3330 is no evidence whatsoever to support the notion that
3331 President Obama directed unlawful surveillance at candidate
3332 Trump. The allegation has been refuted by Speaker Ryan,
3333 Senator Richard Burr of the Senate Intelligence Committee,
3334 and FBI Director, James Comey, himself. I am not interested
3335 in litigating the quotation marks that appeared in the
3336 President's tweets.

3337 His claim cannot be vindicated by reports of incidental
3338 collection of communications to and from Trump Tower, as
3339 members of the transition team spoke to foreign officials
3340 who were rightly the subject of government surveillance. I
3341 am also uninterested in pivoting to a discussion about
3342 surveillance reform.

3343 Members of this committee, Liberal and Conservative,
3344 understand the power of these surveillance programs and what
3345 the government can do to us with information that it

3346 collects.

3347 Mr. Chairman, I look forward to working with you on
3348 reform of section 702, but we are here today to talk about
3349 an entirely different matter of national security. The
3350 President's wiretapping claim is more than an attack on his
3351 predecessor and more than an attempt to distract from the
3352 Russia investigation. The tweets and the reckless attempt
3353 to defend them represent a direct threat to national
3354 security.

3355 As the, I will not say, conservative Wall Street
3356 Journal editorial board put it, as the Wall Street Journal
3357 editorial board put it, "If President Trump announces that
3358 North Korea launched a missile that landed within 100 miles
3359 of Hawaii, would most Americans believe him? Would the rest
3360 of the world? We are not sure, which speaks to the damage
3361 that Mr. Trump is doing to his presidency with his seemingly
3362 endless stream of exaggerations, evidence-free accusations,
3363 implausible denials, and other falsehoods." The quote
3364 continued.

3365 "The latest example is Mr. Trump's refusal to back off
3366 his Saturday morning tweet of 3 weeks ago that he had,
3367 'found out that Barack Obama had my wires tapped in Trump
3368 Tower, just before the victory on election day.' He has
3369 offered no evidence for his claim, and a parade of
3370 intelligence officials, senior Republicans and Democrats,

3371 have since said they have seen no such evidence. Yet, the
3372 President clings to his assertion like a drop to an empty
3373 gin bottle," -- this is all in the quotes -- "rolling out
3374 his press spokesman to make more dubious claims."

3375 I ask unanimous consent that the full column be placed
3376 in the record, sir.

3377 Chairman Goodlatte. Without objection, it will be made
3378 part of the record.

3379 [The information follows:]

***** COMMITTEE INSERT *****

3380 Mr. Conyers. Thank you. Mr. Chairman, House
3381 Resolution 203 is designed for one purpose: to place the
3382 burden on President Trump to produce evidence for his claim
3383 or issue an apology; simple as that.

3384 Even if the President fails on those fronts, and we
3385 have every reason to believe that he will, we will have
3386 shown our partners in the world that Congress will not
3387 condone this reckless behavior.

3388 To put an end to this dangerous falsehood, I urge all
3389 of my colleagues to support the Quigley resolution of
3390 inquiry. I thank you, sir, and I return any unused time.

3391 Chairman Goodlatte. Thank you, and I now recognize
3392 myself for purposes of offering an amendment, and the clerk
3393 will report the amendment.

3394 Ms. Adcock. Amendment in the nature of a substitute to
3395 H. Res. 203, offered by Mr. Goodlatte. Strike all that
3396 follows --

3397 [The amendment of Chairman Goodlatte follows:]

3398 ***** COMMITTEE INSERT *****

3399 Chairman Goodlatte. Without objection, the amendment
3400 will be considered as read, and I recognize myself to
3401 explain the amendment.

3402 As with the previous resolution of inquiry, I am
3403 offering this substitute amendment to make a minor,
3404 clarifying change to the introduced text and to preserve the
3405 majority's procedural options on this resolution.

3406 The substitute adds in a missing exclamation point from
3407 one of the quotations in the base resolution and makes a
3408 stylistic change with regard to the numbering of the clauses
3409 in the resolution.

3410 In addition, as I mentioned in my statement on my
3411 previous substitute amendment, offering this substitute does
3412 allow the previous question to be called if necessary. I
3413 yield, and the ranking member has already been recognized.

3414 Well, I yield to the ranking member for any comments he
3415 has on the substitute.

3416 Mr. Conyers. I support the technical changes that you
3417 have put forward, sir.

3418 Chairman Goodlatte. I thank the gentlemen, and the
3419 chair recognizes the gentleman from New York.

3420 Mr. Nadler. Thank you. I want to commend the chair
3421 for the stylistic changes. I think they are very apt. I
3422 hardly think, given the look of this room at the moment,
3423 that fear about the necessity of a previous question is

3424 realistic, but I will not oppose the substitute on that
3425 grounds.

3426 I do want to talk; now is the time to talk on the
3427 substitute about the underlying motion.

3428 Chairman Goodlatte. The gentleman is recognized for 5
3429 minutes.

3430 Mr. Nadler. Thank you. I do not think I will take all
3431 my 5 minutes, but I will say this: the President's slander
3432 of former President Obama by tweeting out that he tapped me,
3433 and it is illegal for him to be tapping him, a new low, and
3434 this is Nixon Watergate; Obama is a bad or sick guy, as he
3435 wrote, is just wrong. It is beneath a President of the
3436 United States, although, apparently, not beneath this one.
3437 But it is simply wrong, and it is designed to take attention
3438 away from the real questions that we debated, that we
3439 discussed, when we discussed the previous resolution of
3440 inquiry, I suppose, an hour ago.

3441 I mean, there are manifold questions, but the real
3442 questions are all the questions about Russian influence in
3443 the election, which was clear. The Russians tried to
3444 subvert the election. They did what they did, and the real
3445 question is the collusion of the Trump campaign, in that
3446 subversion of a free election, and that is what we ought to
3447 be investigating, and there are investigations going on.

3448 There is the FBI's investigation. It has a criminal

3449 investigation. The Senate, apparently, has an
3450 investigation. The House Intelligence Committee, I will not
3451 call an investigation anymore.

3452 Mr. Nadler. The actions of the chairman have obviously
3453 made an honest investigation impossible, for whatever
3454 reasons he may choose to have done that, and that no one at
3455 this point, on either side of the aisle, in either House,
3456 has any confidence that there will be a proper investigation
3457 by the House Intelligence Committee.

3458 There may very well be a proper investigation by the
3459 Senate Intelligence Committee. I would hope that we would
3460 do our share in investigations through this resolution of
3461 inquiry, but we are not.

3462 But the President -- the subject of this resolution of
3463 inquiry -- the President's allegation and various tweets
3464 that former President Obama tapped him, that former
3465 President Obama is a bad or sick guy, are slanderous, and if
3466 they have any purpose at all, they are designed to detract
3467 from a proper investigation of the real charges.

3468 So we are to look into that, and I commend Mr. Quigley
3469 for this resolution of inquiry, and I urge its adoption. I
3470 yield back.

3471 Chairman Goodlatte. Are there any amendments to the
3472 amendment in the nature of substitute?

3473 For what purpose does the gentleman from Georgia seeks

3474 recognition?

3475 Mr. Johnson of Georgia. I move to strike the last
3476 word.

3477 Chairman Goodlatte. The gentleman is recognized for 5
3478 minutes.

3479 Mr. Johnson of Georgia. Mr. Chairman, I find it ironic
3480 that President Donald Trump can communicate via his official
3481 Twitter account. He can tweet that he just found out that,
3482 "Obama had my wires tapped in Trump Tower just before the
3483 victory. Nothing found. This is McCarthyism," so he
3484 accuses the ex-President. He impugns his motives by saying
3485 that, "This is McCarthyism," and then he goes on, on March
3486 4, later, at 3:49 a.m. This is early morning: 3:49 a.m. He
3487 tweets, "Is it legal for a sitting President to be
3488 wiretapping a race for President prior to an election?
3489 Turned down by court earlier. A new low."

3490 And then he goes on to say that, "How low has President
3491 Obama gone to tap my phones during the very sacred election
3492 process? This is Nixon Watergate. Bad or sick guy." When
3493 we are talking about impugning someone's motives and
3494 character, that is character assassination in plain view
3495 with a pistol to the head, a gunshot right there in Central
3496 Square for everyone to see, and then we, on this committee,
3497 are barred from discussing the motives of our colleagues,
3498 even in an indirect way. It is ironic to me.

3499 But the bottom line is that those tweets that the
3500 President made contain some accusations that, if true, would
3501 be stunning breaches of the law; if untrue, would be
3502 stunning breaches of protocol, would be false accusations
3503 against an ex-President, would be consistent with a pattern
3504 of behavior that was not in accord with the truth.

3505 And so this privileged resolution filed by Mr. Quigley,
3506 I rise in support of, and it simply asks for written
3507 communications regarding those tweets and evidence that
3508 supports them, if any exists.

3509 This is something that it would seem that this
3510 committee would rush to adopt. After all, it is not an
3511 investigation, but it very well could lead to an
3512 investigation if we were to get the information, and so just
3513 the simple quest for the information is all that is asked.

3514 When we see other committees or another committee, the
3515 only committee in the House, charged with investigating any
3516 of these allegations against President Trump and his
3517 administration and his campaign when we see that
3518 investigation being shut down, literally, as it has been for
3519 a week due to some actions that were taken by its chair.
3520 And that is the only investigation going. It would seem
3521 that this committee would at least send out a request for
3522 some information to determine whether or not there was
3523 probable cause to proceed with an investigation because

3524 certainly we have a reasonable and articulatable suspicion
3525 that there may be some wrongdoing that has occurred because
3526 the allegations that the President made against the ex-
3527 President are very serious indeed. Those are matters within
3528 the purview of this committee.

3529 This committee certainly should look into it if there
3530 is more cause to do so, and this resolution just simply asks
3531 for the executive branch to supply us with the information.
3532 It is a very reasonable request. If there is opposition to
3533 the request, then at least hear that opposition. We are in
3534 debate right now on this resolution. I would challenge
3535 someone on the other side of the aisle to come forward with
3536 logical arguments to refute the need of our committee for
3537 this, and then having heard that, I might vote in favor of
3538 the Republican position. But with no one, especially those
3539 who have been so vociferous in previous investigations by
3540 this committee of the previous President, are not having
3541 anything to say about this is just very alarming. It raises
3542 the question of what are the motives of the other side.

3543 What are they thinking? That is what the American
3544 people want to know and that is what I would like to know.
3545 And I look forward to someone on the other side requesting
3546 time in opposition to this motion because if no one speaks
3547 in opposition to it, then I would expect that common sense
3548 would dictate that my colleagues on the other side of the

3549 aisle would be in favor of it.

3550 It is just a request for information. There is no harm
3551 if the administration does not respond to it. They are not
3552 legally obligated to have to respond to this resolution. If
3553 they do not, that is some evidence we can look further or
3554 that may add to our desire get further information. If they
3555 respond, then well and good. If they clear themselves,
3556 wonderful. If not, then we have grounds to proceed

3557 Chairman Goodlatte. The time of the gentleman has
3558 expired.

3559 Mr. Johnson of Georgia. So with that, I will yield
3560 back.

3561 Chairman Goodlatte. Are there any amendments to the
3562 amendment? For what purpose does the gentleman from
3563 Maryland seek recognition?

3564 Mr. Raskin. I want to move to strike the last word,
3565 and I do have an amendment, Mr. Chairman.

3566 Chairman Goodlatte. The clerk will report the
3567 amendment.

3568 Ms. Adcock. Amendment to the amendment in the nature
3569 of a substitute to H. Res. 203 offered by Mr. Raskin. Page
3570 2, line 7 --

3571 [The amendment of Mr. Raskin follows:]

3572 ***** COMMITTEE INSERT *****

3573 Chairman Goodlatte. Without objection, the amendment
3574 is considered as read and the gentleman is recognized for 5
3575 minutes on his amendment.

3576 Mr. Raskin. Mr. Chairman, thank you very much. The
3577 amendment would simply add to the scope of the investigation
3578 any meeting that took place between Representative Nunes,
3579 the House Permanent Select Committee on Intelligence, and
3580 members of the White House on White House grounds on March
3581 21, 2017, and also, relating to Chairman Nunes' announcement
3582 on March 22, 2017, that the intelligence community
3583 incidentally collected information about U.S. citizens
3584 involved in the Trump transition.

3585 And as we dig into this, Mr. Chairman, I am reminded of
3586 the famous passage, "Oh, what a tangled web we weave when
3587 first we practice to deceive," because it seems like there
3588 are evasions upon evasions upon miscommunications upon

3589 deceptions throughout this whole tangled web.

3590 When Chairman Nunes went to the White House with
3591 information that he did not go first to his committee with,
3592 it raises a number of very serious questions. Why did
3593 Chairman Nunes need to brief the President on documents
3594 clearly already in the possession of the White House? Why
3595 did he need to work with the White House to obtain and
3596 examine these documents when he has subpoena power as
3597 chairman of the Intelligence Committee? Why would he brief
3598 the President, whose associates may very well be the subject
3599 of the Intelligence Committee's investigations and FBI
3600 investigations, and did he in fact inadvertently become the
3601 leak that our colleagues on the other side of aisle have
3602 frequently invoked about revealing classified information
3603 related to ongoing investigation and surveillance of foreign
3604 nationals? So, there is a number of very serious issues
3605 that emerge because of Chairman Nunes' breach of stand
3606 legislative protocol in going first to the White House with
3607 this information.

3608 Mr. Chairman, if we take a step back, I think we have
3609 to recognize that this is a very serious time in the history
3610 of the world. All over the Earth there are authoritarians
3611 and despots and dictators and kleptocrats on the march and
3612 Vladimir Putin is at the center of this attack on the rule
3613 of law and human rights and democratic values.

3614 In Russia on Sunday, tens of thousands of citizens took
3615 to the streets to protest corruption in violation of human
3616 rights. Many of them were arrested. Some of them are still
3617 in jail right now. They had the courage to face down
3618 Vladimir Putin's thugs throughout Russia on Sunday. Those
3619 are the people we should be standing with. Those are the
3620 people we should be having meeting with, overtly or
3621 covertly. But we heard nothing from the President. We
3622 heard nothing from the Vice President in favor of the
3623 massive demonstrations that took place in Russia against the
3624 corruption of the Putin regime.

3625 What do we know? Well, we know from 17 of our own
3626 intelligence agencies that Vladimir Putin had a
3627 comprehensive plan to undermine and destabilize American
3628 elections through espionage on this land, through cyber
3629 sabotage, through the production of fake news, and through
3630 propaganda disseminated on the internet in order to fix the
3631 election according to Putin's favored candidate. Now, we
3632 should be standing with the people who are protesting and
3633 not with the billionaires and the autocrats and the
3634 kleptocrats who are running Russia. That is why this is
3635 such a big deal.

3636 And all we are asking for is an honest accounting of
3637 what took place. What happened? We know that Vladimir
3638 Putin and his team essentially engaged in a massive,

3639 worldwide, independent expenditure in the 2016 presidential
3640 campaign. If you put it FAC terms, it was a massive,
3641 illegal, independent expenditure --

3642 Mr. Sensenbrenner. Will the gentleman from Maryland
3643 yield?

3644 Mr. Raskin. Yes, by all means.

3645 Mr. Sensenbrenner. Have you been able to find anybody
3646 that switched their vote from Hillary Clinton to Donald
3647 Trump because it would please Vladimir Putin? I have not.

3648 Mr. Raskin. Well, reclaiming my time. It is
3649 completely irrelevant to me whether it influenced 10 million
3650 votes, 10,000 votes, or 10 votes. It was an attempt to
3651 undermine and subvert our election and I would hope that --

3652 Mr. Sensenbrenner. Will the gentleman yield further?

3653 Mr. Raskin. Yes, by all means.

3654 Mr. Sensenbrenner. Well, you know, if you cannot find
3655 anybody that did switch their vote because it would please
3656 Vladimir Putin, then what he did failed.

3657 Mr. Raskin. Well, but let me ask you a question, if
3658 you would yield back.

3659 Mr. Sensenbrenner. It is your time.

3660 Mr. Raskin. Do you think anyone was influenced by the
3661 Republican Party's platform in the 2016 election?

3662 Mr. Sensenbrenner. Some people may have been. Some
3663 people may not have been.

3664 Mr. Raskin. And do you agree that Vladimir Putin,
3665 through his emissaries and the Donald Trump campaign,
3666 altered the National Committee platform in 2016?

3667 Mr. Sensenbrenner. No.

3668 Mr. Raskin. Well, then we have to have a separate
3669 hearing on that because there is extensive documentation
3670 about how the Trump campaign changed the Republican platform
3671 and changed the policies of the Republican Party to conform
3672 to the Russian line.

3673 But reclaiming my time, Mr. Chairman, the Russians
3674 engaged in an independent expenditure. The only question
3675 is, was it a coordinated independent expenditure? And those
3676 people who are saying that the Trump campaign knew nothing
3677 about it should have nothing to fear from an open, honest,
3678 comprehensive investigation, which is what two-thirds of the
3679 American are asking for. At the very least, we should go
3680 ahead and pass this resolution inquiry as amended. I yield
3681 back.

3682 Chairman Goodlatte. The time of the gentleman has
3683 expired. The chair recognizes himself in opposition to the
3684 amendment offered by the gentleman from Maryland. This
3685 amendment does nothing to add to an otherwise unnecessary
3686 resolution. The House and Senate Intelligence Committees
3687 are investing this matter and there is no reason to request
3688 this information at this time. As Mr. Raskin noted in his

3689 remarks, the Intelligence Committee has the subpoena power
3690 and can request whatever information they need; House or
3691 Senate. They do not need this resolution to help their
3692 investigation.

3693 Finally, the information sought by this amendment is
3694 surely classified information and this overly broad
3695 resolution of inquiry is no way to go about requesting
3696 classified information. I urge my colleagues to oppose the
3697 amendment.

3698 For what purpose does the gentleman from New York seek
3699 recognition?

3700 Mr. Jeffries. I move to strike the last word.

3701 Chairman Goodlatte. Gentleman is recognized for 5
3702 minutes.

3703 Mr. Jeffries. I want to thank my distinguished
3704 colleague from Maryland for offering this amendment and I
3705 want to also thank my colleague from New York,
3706 Representative Nadler, for leading the way as it relates
3707 these resolutions of inquiries, which I think are incredibly
3708 important and simply an effort to get at the truth.

3709 Now, I have great respect for my colleagues on the
3710 other side of the aisle, but I am struggling to process some
3711 of the logic that has been articulated here today in
3712 opposition to these resolutions of inquiry. In particular,
3713 this notion that if we have yet to determine that Vladimir

3714 Putin successfully was able to change the hearts and minds
3715 of the individuals as a result of the massive and
3716 unprecedented document dump that undermined, in the view of
3717 many Americans, Hillary Clinton's credibility. It is not
3718 rocket science what was happening. But if we cannot
3719 conclusively, scientifically, mathematically determine at
3720 this point that no votes were changed, that what Vladimir
3721 Putin, a thug and a dictator, should be swept under the rug.
3722 I am struggling to understand that logic.

3723 I cannot tell you to any degree of mathematical
3724 certainty whether Nixon's break-in at Watergate altered the
3725 results of the 1972 election, which resulted in him winning
3726 a second term as a result of a landslide. I do not know if
3727 it altered the results. I do not know what information he
3728 actually gathered from that break-in. We do know that he
3729 committed a crime, that he was a crook, and he has gone down
3730 in disgrace.

3731 Now, Vladimir Putin's Russia does not have the best
3732 interests of the United States at heart. I do not know what
3733 that is so difficult from some in this town or throughout
3734 this country to process. And it was an intentional,
3735 deliberate, malicious attack on our democracy to create the
3736 type of partisan divide that we actually are seeing unfold
3737 here in the Congress and throughout the country, to
3738 undermine the integrity of our democracy and our unity and

3739 our values. And all we are simply saying is, let's try to
3740 get at some of the truth of what occurred.

3741 Now, I have heard my distinguished colleagues say,
3742 "Well, there is a House Intelligence Committee
3743 Investigation." Are you kidding me? That is not a three-
3744 ring circus; it is a four-ring circus right now. P.T.
3745 Barnum would be proud. There is no credibility to that
3746 investigation. There is no effort to proceed in a
3747 bipartisan dispassionate fashion. One of the reasons why I
3748 am proud to serve on the Judiciary Committee is because it
3749 had a great tradition by and large of functioning in that
3750 fashion, particularly in areas where we have jurisdiction,
3751 such as over the Department of Justice.

3752 It has also been interesting to me that it has been a
3753 very aggressive tendency throughout the 115th Congress of
3754 trying to take down words whenever we make any reference to
3755 the President of the United States of America. But the 45th
3756 President can call a twice-elected President of the United
3757 States a bad or sick guy and lie about whether he ordered a
3758 wiretap or not and there is a big problem with what some
3759 have said about this President, but there is no issue in
3760 terms of finding out the truthfulness as it relates to this
3761 Twitter episode that Donald Trump engaged in. I just cannot
3762 figure it all out.

3763 And I continue to hold out hope that at some point we

3764 can figure out some common ground for investigating this
3765 attack on our democracy that should be offensive to
3766 everyone, Democrats and Republicans alike, because it will
3767 happen again. And next time it may impact people on the
3768 other side of the aisle. And so this is not a Democratic
3769 issue or a Republican issue, it is an American issue and
3770 hopefully we can figure out a way some point in time to be
3771 able to get the information in a bipartisan fashion that we
3772 can present to the great people of this country. And I
3773 yield back.

3774 Mr. Nadler. Mr. Chairman.

3775 Chairman Goodlatte. For what purpose does the
3776 gentleman from New York seek recognition?

3777 Mr. Nadler. To speak on the amendment.

3778 Chairman Goodlatte. The gentleman is recognized for 5
3779 minutes.

3780 Mr. Nadler. Thank you. I will not take 5 minutes. I
3781 will simply point out two things. One, the Chairman in his
3782 remarks in opposing this amendment said, among other things,
3783 that this amendment explicitly calls for information, which
3784 is probably classified. And let me point out that the
3785 underlying resolution, which reads in relevant part, the
3786 President resolved the President's request to the Attorney
3787 General of the United States is directed to transmit
3788 respectively in a manner appropriate to classified

3789 information, if the President or Attorney General determines
3790 appropriate to the House of Representatives, et cetera, et
3791 cetera, explicitly provides for classified information to be
3792 handled appropriately, as this committee is entitled to
3793 classified information.

3794 So it is a derogation of the amendment to say that is
3795 requires the turning over to the committee of information
3796 that might be classified. That is true, but that is
3797 appropriate. This is committee is entitled to receive
3798 classified information, if the procedures are followed.

3799 Chairman Goodlatte. Would the gentleman yield?

3800 Mr. Nadler. Sure.

3801 Chairman Goodlatte. I thank the gentleman for
3802 yielding. Two points. First of all, at the request of both
3803 the majority and the minority, the chairman and the ranking
3804 member were given a classified briefing by the Director of
3805 the Federal Bureau of Investigation that confirmed that
3806 there is an investigation taking place. Now, we should not
3807 be supplanting that with a blunderbuss approach where we
3808 submit a resolution inquiry, which does not even carry the
3809 weight of a subpoena, asking for information that is already
3810 being investigated by other committees and by the executive
3811 branch.

3812 Mr. Nadler. Reclaiming my time, the amendment that the
3813 chairman opposed on the grounds, among others, of the

3814 classification I talked about, has nothing to do as far as I
3815 know, with what the chairman and the ranking member were
3816 briefed on. It has to do with any meeting that
3817 Representative Nunes, the chairman of the House Intelligence
3818 Committee, attended on White House grounds on a certain date
3819 and with his announcement that the intelligence community
3820 incidentally collected information about U.S. citizens
3821 involved in the Trump transition, unquote. All of this
3822 occurred in the last few days. Could the 21st and 22nd --
3823 Chairman Goodlatte. If the gentleman would yield
3824 further?

3825 Mr. Nadler. Not for the moment. Occurred on March
3826 21st and 22nd and is in effect a new topic. I would simply
3827 make one other observation and that is that --

3828 Chairman Goodlatte. Would the gentleman yield on that
3829 point? Because the chair did not rule it non-germane
3830 because it is germane to the underlying investigation.

3831 Mr. Nadler. No, no, no. I get --

3832 Chairman Goodlatte. It is already taking place. And
3833 for this committee, through a resolution of inquiry, to seek
3834 information from another committee of the very House, this
3835 is not the appropriate committee to do that.

3836 Mr. Nadler. Well, reclaiming my time, we are not
3837 requesting information from another committee of the House,
3838 we are requesting it from the Attorney General, number one.

3839 And number two, it has nothing to do with germane. This
3840 stuff is clearly germane. What I was saying was that it is
3841 probably not covered by the briefings that were received,
3842 which I presume was prior to March 21, 22.

3843 But secondly, I want to make one other point and that
3844 is that whether one can prove that the Russian intervention
3845 in our election affected votes or affected sufficient votes
3846 that it turned the election is by definition unknowable.
3847 You cannot ever prove, given the fact that we have a secret
3848 ballot, you cannot ever prove that any action, proper or
3849 improper, you know, affected certain number of votes or
3850 affected any votes. One can make assumptions.

3851 The political scientists will this say this was very
3852 important and that was not, but one cannot prove it.

3853 The standard is, to protect the integrity of our
3854 elections, this: Did someone break the campaign financial
3855 law, for instance. Did he overspend by 2 million? Not,
3856 "Did \$2 million change 500,000 votes?" But did he break the
3857 law in so doing? I am not talking about any particular
3858 person at the moment. Did an improper action violating our
3859 laws and our practices occur? Clearly, the Russians broke
3860 our laws in many ways and attempted to subvert our election.
3861 Whether they succeed in changing the outcome is unknowable
3862 and not the relevant question. The relevant question here
3863 is, a foreign power having sought to subvert an American

3864 election, did Americans, specifically the Trump campaign
3865 people, did they collude with them?

3866 If they did, they committed crimes. If they did not,
3867 they did not commit crimes. But if they did, they committed
3868 not only technically crimes, but they helped subvert an
3869 American election, maybe changing the outcome, maybe not
3870 changing the outcome. That is not the question. That is
3871 unknowable. But did they try to subvert a fair election?
3872 And did they do things to try to conspire with a foreign
3873 power to subvert an American election?

3874 That is the key question for the United States. It is
3875 key to the integrity of our elections and it is key to
3876 making sure that nothing like that, if it happened, if there
3877 was such collusion, happens again. I yield back.

3878 Chairman Goodlatte. The chair recognizes himself for
3879 purposes of putting in the record an article entitled
3880 "Clinton Ally Says Smoke but No Fire, No Russia-Trump
3881 Collusion." "Former CIA Director Michael Morell, who
3882 endorsed Hillary Clinton, cast doubt Wednesday night on
3883 allegations that members of the Trump campaign colluded with
3884 Russia. Morrell, who was in line to become CIA Director if
3885 Clinton won, said he had seen no evidence that Trump
3886 associates cooperated with Russians." Without objection, it
3887 will be made a part of the record.

3888 [The information follows:]

3889 ***** COMMITTEE INSERT *****

3890 Chairman Goodlatte. For what purpose does the
3891 gentleman from Louisiana -- we are going to this side of
3892 aisle. The gentleman from Louisiana is recognized for 5
3893 minutes.

3894 Mr. Johnson of Louisiana. Thank you, Mr. Chairman. We
3895 have been subjected for quite some time this morning to
3896 arguments from our colleagues on the other side. These
3897 resolutions of inquiry, as you have rightfully pointed out
3898 are not only procedurally incorrect; it is a violation of
3899 House rules for members of this committee to continually
3900 impugn the motives of another committee of this House and
3901 its chairman, the House Intelligence Committee.

3902 Also, just want to point out that we keep hearing about
3903 how the President tweeted something at 3:00 a.m. about his
3904 predecessor, but I was just sitting here googling because I
3905 can hardly listen to this argument much longer, and Time

3906 Magazine -- let me just read you the opening of an article,
3907 October 14, 2016. "President Obama tied a Republican
3908 nominee Donald Trump to the Republican Party, arguing that
3909 they have long fed voters a 'swamp of crazy' at a campaign
3910 event in Columbus, Ohio."

3911 I just want to point out, Mr. Chairman, that is one of
3912 many examples that could be cited. It is implied this
3913 morning that the previous president was some sort of pure
3914 god of virtue and civility and that Donald Trump. There is
3915 enough of this to go around. And we can sit here all day
3916 talking about, you know --

3917 Mr. Nadler. Will the gentleman yield?

3918 Mr. Johnson of Louisiana. Just a moment. We can talk
3919 about names that have been said back and forth by nominees
3920 and by sitting occupants of the White House, but that is not
3921 relevant to what is happening in here today. And --

3922 Mr. Nadler. Will the gentleman yield?

3923 Mr. Johnson of Louisiana. In just a moment. And I
3924 just think that we have heard all the arguments and I hope
3925 that we can get to a vote on this soon enough so we can move
3926 on with the important business of the House. Thank you.

3927 Mr. Nadler. Does the gentleman yield?

3928 Mr. Johnson of Louisiana. I yield.

3929 Mr. Nadler. I would point out and maybe I would ask
3930 the gentleman if he will concede. There is a difference

3931 between making an observation about your opinion of someone
3932 else, which is what the President was doing in that quote in
3933 the context of the campaign, but even so, it is his opinion
3934 of accusing somebody of a crime. When President Trump
3935 accused President Obama of wiretapping him, he was accusing
3936 him of a crime. There is a difference between an opinion of
3937 someone on the other side of the political aisle. That
3938 meant someone on your side of the political aisle and
3939 accusing someone of a crime. I yield back.

3940 Mr. Johnson of Louisiana. I would just respond to say
3941 that however we classify the rhetoric on both sides does not
3942 change the question of jurisdiction, the motives of the
3943 chairman of the Intel Committee and all the things that are
3944 being subjected to question this morning. That is the real
3945 issue before us and I think that we have got to allow the
3946 other committee to do their job and I think they completed
3947 that yet and so I think this is a unwarranted and
3948 unnecessary intrusion into the important work of another
3949 House committee and we ought to let them finish their task
3950 and completely their job. I yield.

3951 Chairman Goodlatte. The chair thanks the gentleman.
3952 For what purpose does the gentlewoman from Texas seek
3953 recognition?

3954 Ms. Jackson Lee. I thank the chairman for his
3955 courtesy.

3956 Chairman Goodlatte. The gentlewoman is recognized for
3957 5 minutes.

3958 Ms. Jackson Lee. Move to strike the last word. Let me
3959 acknowledge the difference of opinion in all of my
3960 colleagues and again, because of the sacredness and
3961 crucialness of what the American people the Judiciary
3962 Committee to be, if any committee, to uphold the
3963 Constitution. I respect the gentleman from Louisiana and
3964 others who have expressed a view different from mine. I
3965 rise to support the gentleman from Maryland's underlying
3966 amendment and the underlying bill.

3967 And the only point that I would make about the
3968 gentleman's amendment is that as the holder of the
3969 Constitution and, though are House rules, there are rules of
3970 the Republican Conference, there are Democratic Caucus
3971 rules, it is important that we at least have a unified view,
3972 nonpartisan, bipartisan that when rules are broken, rules
3973 are broken.

3974 And so with respect to Chairman Nunes, it certainly
3975 behooves us to find out what rules were broken. When
3976 someone leaves the Hill, goes to the White House, and then
3977 portrays themselves the next day as having found information
3978 that the President needs to know with a rush down to the
3979 White House, please be reminded of the equal branches of
3980 government. So I want to support the underlying resolution

3981 regarding the issue of untruth. I would not even use the
3982 word lying in the context of the highest office of this
3983 Nation and the leader of the free world out of respect.
3984 Untruth.

3985 And so, it has been noted that Mr. Trump has made 317
3986 false or misleading claims. Untruth. And it is important
3987 to note, as I alluded to before, that this particular
3988 committee has myriad of responsibilities. In the
3989 Constitution, it talks about the removal of the President.
3990 And it indicates that one of the factors besides conviction
3991 of treason, bribery, are other high crimes and misdemeanors.
3992 And so quietly I want to say that this committee has
3993 withstood major investigations, I said this earlier, from
3994 Waco to impeachments.

3995 One impeachment in particular did not proceed to a
3996 conviction. The basis I believe was that it did not appear
3997 to have associated itself or relate to governance. What we
3998 are talking about here in the underlying resolution of
3999 inquiry to get facts is about governance. It is about a
4000 sitting President who accused a former sitting President of
4001 untruth, of saying that I had been wiretapped by this former
4002 President, and on the basis of those four tweets in writing.
4003 There is something that lawyers know that is so concrete
4004 about writing. It does not go away. Even in technology,
4005 writing stays in place. Tweets stay in place.

4006 And the highest law enforcement officer in the context
4007 of police, the Director of the FBI, testified under oath
4008 absolutely that he found no evidence relating to Mr. Obama
4009 wiretapping before or after Mr. Trump. He did not say Mr.
4010 Obama's extended relatives or Mr. Obama's staff. He said
4011 Mr. Obama. And so in essence, we have an unfortunate
4012 circumstance that Hamilton has written about and Hamilton
4013 has written, Hamilton of yesteryear, "Public trust can be
4014 abused." And that is the issue that is the underlying
4015 resolution. It is the special responsibility of the
4016 government as written in "Trump's Wiretap Tweets Raise Risk
4017 of Impeachment." Noah Feldman. I ask unanimous consent to
4018 put into the record. "The government's special
4019 responsibility has two bases. One is that you cannot sue the
4020 government" if a citizen says something about Mr. Obama, he
4021 can sue for libel.

4022 But the President cannot be sued. And he has made
4023 these statements and so the question is what is his
4024 responsibility as someone who governs. "The second reason
4025 the government has to be careful about making unprovable
4026 allegations is that its bully pulpit is greater than any
4027 other." And so the idea that he can make 317, 420
4028 untruthful statements and go without any recognizing
4029 reprimand, then I would make the argument that this
4030 committee must do its job. This resolution of inquiry, Mr.

4031 Chairman, must go forward. We must have the information.

4032 We must follow the trail, the facts --

4033 Chairman Goodlatte. The time of the gentlewoman has
4034 expired.

4035 Ms. Jackson Lee. And we may have a situation of
4036 article 2, section 4 in proceeding on this --

4037 Chairman Goodlatte. The time of the gentlewoman has
4038 expired.

4039 Ms. Jackson Lee -- prompt of impeachment. I yield
4040 back.

4041 Chairman Goodlatte. For what purpose does the
4042 gentleman from Georgia seek recognition?

4043 Mr. Johnson of Georgia. I move to strike the last
4044 word.

4045 Chairman Goodlatte. The gentleman is recognized for 5
4046 minutes.

4047 Mr. Johnson of Georgia. I rise in support of the
4048 Raskin amendment, which simply adds to the list of documents
4049 that is requested under the resolution. Any documentation
4050 having to do with Representative Devin Nunes, chairman of
4051 the House Permanent Select Committee on Intelligence insofar
4052 as his visit to the White House grounds on March 21st, 2017
4053 is concerned, and also, his announcement on March 22, 2017
4054 that the intelligence community incidentally collected
4055 information about U.S. citizens involved in the Trump

4056 transition, that is the only thing that Raskin amendment
4057 adds to the resolution which, in and of itself, there lies
4058 just cause for its passage.

4059 We have some very serious allegations that have been
4060 made, very important statements that have been made, very
4061 important actions that have been taken as a result of the
4062 statements, and, Mr. Chairman, what I find is that there is
4063 a reason for people telling the truth. It is usually
4064 because the truth benefits them in some way, but then on the
4065 other side of the truth there is lies, and the reason why
4066 people lie is because they want to hide the truth because
4067 the truth will hurt them.

4068 And so when you have an issue that has been joined, we
4069 have facts, we have allegations that have been made, we
4070 cannot rectify what has been said because there are opposing
4071 positions and they fall and the issue falls within the
4072 bailiwick of this committee, it would seem to me that this
4073 committee would take just a small action in requesting
4074 documentation from the executive branch because, after all,
4075 this is the committee with jurisdiction over impeachment.

4076 And that is the specter that continues to arise from
4077 the ground is the issue of impeachment. And so it is not
4078 that we are hellbent on impeachment, it is just simply in
4079 good faith asking for information that could rise to a
4080 certain level; or it could be such that we do not go down

4081 that road, but when people tell the truth, that is one
4082 thing, when people lie that is another thing. When you
4083 remain silent when you have got a contradiction on a matter
4084 that is either the truth or is a lie and the matter is
4085 important and you remain silent about it then it means you
4086 must not care about the issue. Or you are trying to be a
4087 part of the cover-up or you are trying to be a part of
4088 hiding the situation?

4089 And I do not want this committee to have the
4090 distinction of being a part of a cover-up, nor do I want it
4091 to be accused of not caring about whether or not the truth
4092 has been told or whether or not a lie has been told and the
4093 matter is within the jurisdiction of this particular
4094 committee. I do not want that to happen to this committee
4095 because this committee has a reputation of being greater and
4096 better than that.

4097 And so I ask my colleagues to support the Raskin
4098 amendment and I ask my colleagues to support the base
4099 resolution. And with that I yield back.

4100 Chairman Goodlatte. For what purpose does the
4101 gentlemen from Rhode Island seek recognition?

4102 Mr. Cicilline. I move to strike the last word.

4103 Chairman Goodlatte. The gentlemen is recognized for 5
4104 minutes.

4105 Mr. Cicilline. I rise in support of the Raskin

4106 amendment and the underlying resolution. And I would say to
4107 my colleagues, the resolution inquiry is, in fact, the
4108 proper vehicle for members of this committee to gather
4109 information to learn facts. It is very surprising to me
4110 that my colleagues on the other side of the aisle are so
4111 resistant to learning and to gathering information so that
4112 we can find out where this leads. This is about protecting
4113 our democracy, protecting the very way of life in this
4114 country. You know we ask the men and woman who serve in the
4115 military very dangerous places around the world to give
4116 their lives to sacrifice in service of our country to defend
4117 this democracy. It seems to me the very least we can do is
4118 show the same kind of courage in a well ventilated,
4119 comfortable hearing room to learn the facts and do what is
4120 necessary to defend our democracy and to do our part.
4121 There has been a suggestion, "Well, we do not have any way
4122 to prove that anyone's mind was changed." Of course, as Mr.
4123 Nadler said, "We do not know that." But we do know there
4124 are 8 million people who watch RT weekly; that is their
4125 audience.

4126 We know the 17 intelligence agencies in our country
4127 concluded that the Russians led by Vladimir Putin engaged in
4128 a very sophisticated campaign that included the use of RT
4129 Russian propaganda of paid trolls of fake news of breaking
4130 into the DNC to bolster the campaign of Donald Trump and to

4131 undermine the campaign of Hillary Clinton. Those are the
4132 facts.

4133 We know there have been five individuals in the close
4134 Trump orbit who have now been excluded because of their
4135 Russian ties and then their failure to tell the truth about
4136 the relationship with the Russians or their meeting with the
4137 Russians or their conversations with Russians. And some
4138 people have suggested, "Well, if you cannot prove that it
4139 changed the outcome, we should not care." And one of my
4140 colleagues described it this way, "If someone takes a gun
4141 and shoots at your head and misses, are you not still
4142 interested to find out who shot and you and why and making
4143 sure it never happens again?"

4144 So that fact that whether they were successful or not,
4145 the Russians will continue this. They are doing it in
4146 Germany, they are doing it in France, this is part of a
4147 sophisticated campaign to undermine Western democracies.
4148 And if we think they are not watching to see how we respond
4149 to this we are making a big mistake.

4150 So this resolution should be adopted by both sides of
4151 the aisle so that we can get information to begin to
4152 discharge our responsibilities in this committee. And as
4153 the gentlelady from Texas reminded us, this is a committee
4154 that has very special responsibilities with respect to our
4155 Constitution and respect to impeachment. We have a

4156 responsibility to begin to collect information to discharge
4157 those responsibilities.

4158 And I would say to my colleagues on the other side of
4159 the aisle, if this is of no interest to you, you do not have
4160 to look at it; let us collect the information, let us study
4161 it, let us find the facts because the American people are
4162 entitled to know those things. If it is of no interest to
4163 you, no one will obligate you to read it, but all we are
4164 asking is allow us to get the facts so that we can
4165 understand where this leads. This is an unprecedented
4166 intrusion into an American Presidential election it should
4167 be of concern to all of us. And so I would implore my
4168 colleagues to support --

4169 Chairman Goodlatte. Will the gentleman yield?

4170 Mr. Cicilline. I am happy to yield to Mr. Raskin
4171 first, and then to the chairman.

4172 Mr. Raskin. Thank you very much. I want to commend
4173 the distinguished gentleman from Rhode Island for his
4174 remarks. And one of the things that he did for us is, I
4175 think, is to make very clear what is at stake here. What we
4176 have, essentially, is a massive outside independent
4177 expenditure in an American election by a foreign power, by
4178 the Russians.

4179 Now, everybody, I think, agrees to that at this point
4180 before the intelligence agencies release their public

4181 report, all we heard was denial, that it is made up, that it
4182 is hallucinatory, it is political and so on. Then the FBI
4183 and the CIA and the NSA and all the intelligence agencies
4184 said this is true. Putin undertook to subvert and undermine
4185 our election with espionage, with cyber, sabotage with fake
4186 news, with propaganda.

4187 So then the question is, "Okay, what are we going to do
4188 about that?" But then the question is, "Was there collusion
4189 on the part of people within in the Trump campaign?" And,
4190 again, we were told, that is ridiculous, that is absurd,
4191 that is outlandish, and then, General Flynn, the National
4192 Security Adviser, was forced to resign because of his
4193 contacts with the Russians. And then, Attorney General
4194 Sessions, it turns out, did not tell the truth at his
4195 hearing. He did not tell the truth about his contacts with
4196 the Russians and he was forced to recuse. And every day we
4197 are getting more and more revelations about contacts between
4198 the Trump campaign and people who practiced this massive
4199 negative intervention in our campaign, this massive
4200 independent expenditure.

4201 The question for us is, was there collusion? Why
4202 should any of us be afraid to get to the bottom of that?
4203 That is our responsibility as the judiciary committee. I
4204 yield back.

4205 Chairman Goodlatte. For what purpose does the

4206 gentleman from California seek recognition?

4207 Mr. Lieu. I move this to strike the last word.

4208 Chairman Goodlatte. The gentleman is recognized for 5
4209 minutes.

4210 Mr. Lieu. Thank you, Mr. Chair. I support both the
4211 underlying resolution as well as this amendment. And on
4212 underlying resolution, the reason this is so important is
4213 because the President of the United States made a very
4214 serious allegation that Trump Tower was wire tapped. If
4215 that were true, this is what it would mean, and, keep in
4216 mind, the President has access to the highest levels of
4217 classified intelligence. I am going to take him at his
4218 word. And if he says he was wire tapped, it would mean that
4219 U.S. intelligence officials or U.S. agents investigating
4220 criminal behavior believe there was either agents of a
4221 foreign power at Trump Tower or a criminal activity. And
4222 then they convinced a Federal judge of that, either an
4223 independent FISA Court judge appointed by Chief Justice
4224 Roberts or a Federal District Court judge, all with life
4225 tenures, who concluded, "Yes, there was probable cause that
4226 there was criminal activity at Trump Tower or there were
4227 agents of a foreign power." That is why we need these
4228 documents.

4229 I want to find out what those wire taps captured. Were
4230 there agents of foreign power they were talking to the

4231 members of the Trump campaign? We should get that
4232 information and those documents.

4233 Chairman Goodlatte. Would the gentleman yield?

4234 Mr. Lieu. Yes, Mr. Chairman.

4235 Chairman Goodlatte. I thank the gentleman for
4236 yielding. This question has already been answered. We know
4237 this because Director Comey testified before the House
4238 Intelligence Committee just last week. That and I quote,
4239 "With respect to the President's tweets about the alleged
4240 wiretapping directed at him by the prior administration, I
4241 have no information that supports those tweets and we have
4242 looked carefully inside the FBI. The Department of Justice
4243 has asked me to share with you that the answer is the same
4244 for the Department of Justice and all its components. The
4245 Department has no information that supports those tweets."
4246 So the jurisdiction of this committee oversight of the
4247 Department of Justice and we have submitted requests on both
4248 the majority and minority side for information. This is a
4249 meaningless resolution of inquiry because it does not answer
4250 or even have the prospect of answering any question that has
4251 not already been answered by the people that the resolution
4252 is directed toward the Department of Justice.

4253 Mr. Lieu. Thank you, Mr. Chair, because that gets me
4254 to the second part of my statement which is, "Or the
4255 President of the United States just made this up." So if he

4256 made this up, then no one should oppose this resolution
4257 because there can be no documents on it.

4258 Now, here is where I support the amendment, because the
4259 amendment talks about something different. The amendment
4260 talks about the chair of the Intelligence Committee. And
4261 this is why it is so important because under this amendment
4262 it says, "We are trying to seek information on
4263 Representative Devin Nunes's announcement that the
4264 intelligence community incidentally collected information
4265 about U.S. citizens involved in the Trump transition."
4266 There is an article from The Daily Beast yesterday. The
4267 title of it is that "Devin Nunes could be facing an Ethics
4268 Probe for Spilling Secrets."

4269 So under the way the House Ethics Committee works, if a
4270 member is suspected of disclosing classified information,
4271 they would face an ethics probe and anyone can make that
4272 complaint. I believe that the chair of the Intelligence
4273 Committee is now compromised, which is why the Judiciary
4274 Committee now has to exert its oversight and take much more
4275 of a role because we now can no longer have an impartial
4276 investigation by the House Intelligence Committee. And that
4277 is why I support this amendment, and it is also why I
4278 support the second part of this amendment which asks for
4279 information when the chairman of the House Intelligence
4280 Committee went to White House grounds to review this

4281 information. So the White House has said initially that it
4282 did not pass a smell test; that White House officials gave
4283 this information to the chair of Intelligence Committee.
4284 White House press security has now backed away from that
4285 statement.

4286 My view is, if the chair of the Intelligence Committee
4287 went to the White House to look at classified information,
4288 it is reasonable that White House officials gave documents
4289 at the White House during this meeting. And that is what
4290 this amendment would try to seek.

4291 Mr. Nadler. Will the gentleman yield?

4292 Mr. Lieu. So with that I support both the amendment
4293 and the underlying resolution and now I will yield back.

4294 Mr. Nadler. Thank you. I just point out that since
4295 this amendment deals with Representative Nunes's
4296 announcements and other activities in the last few days, it
4297 posts dates. The statement by Director Comey that they had
4298 no information that the President was telling the truth and
4299 it is now relevant to get any information which Nunes has
4300 which may bear on that. And I commend the sponsor of the
4301 amendment and I commend the sponsor of the resolution on
4302 that. And I yield back.

4303 Chairman Goodlatte. The time of the gentleman has
4304 expired. The question occurs on the amendment offered by
4305 the gentleman from Maryland.

4306 All those in favor respond by saying aye.

4307 Those opposed, no.

4308 In the opinion of the chair the nos have it and the
4309 amendment is not agreed to.

4310 Mr. Raskin. Could I ask to request a roll call vote,
4311 Mr. Chairman?

4312 Chairman Goodlatte. A recorded vote is requested and
4313 the clerk will call the roll.

4314 Ms. Adcock. Mr. Goodlatte?

4315 Chairman Goodlatte. No.

4316 Ms. Adcock. Mr. Goodlatte votes no.

4317 Mr. Sensenbrenner?

4318 Mr. Sensenbrenner. No.

4319 Ms. Adcock. Mr. Sensenbrenner votes no.

4320 Mr. Smith?

4321 [No response.]

4322 Mr. Chabot?

4323 Mr. Chabot. No.

4324 Ms. Adcock. Mr. Chabot votes no.

4325 Mr. Issa?

4326 [No response.]

4327 Mr. King?

4328 [No response.]

4329 Mr. Franks?

4330 [No response.]

4331 Mr. Gohmert?
4332 [No response.]
4333 Mr. Jordan?
4334 [No response.]
4335 Mr. Poe?
4336 [No response.]
4337 Mr. Chaffetz?
4338 Mr. Chaffetz. No.
4339 Ms. Adcock. Mr. Chaffetz votes no.
4340 Mr. Marino?
4341 [No response.]
4342 Mr. Gowdy?
4343 [No response.]
4344 Mr. Labrador?
4345 Mr. Labrador. No.
4346 Ms. Adcock. Mr. Labrador votes no.
4347 Mr. Farenthold?
4348 Mr. Farenthold. No.
4349 Ms. Adcock. Mr. Farenthold votes no.
4350 Mr. Collins?
4351 Mr. Collins. No.
4352 Ms. Adcock. Mr. Collins votes no.
4353 Mr. DeSantis?
4354 Mr. DeSantis. No.
4355 Ms. Adcock. Mr. DeSantis votes no.

4356 Mr. Buck?

4357 Mr. Buck. No.

4358 Ms. Adcock. Mr. Buck votes no.

4359 Mr. Ratcliffe?

4360 [No response.]

4361 Ms. Roby?

4362 Ms. Roby. No.

4363 Ms. Adcock. Ms. Roby votes no.

4364 Mr. Gaetz?

4365 [No response.]

4366 Mr. Johnson of Louisiana?

4367 Mr. Johnson of Louisiana. No.

4368 Ms. Adcock. Mr. Johnson votes no.

4369 Mr. Biggs?

4370 Mr. Biggs. No.

4371 Ms. Adcock. Mr. Biggs votes no.

4372 Mr. Conyers?

4373 Mr. Conyers. Aye.

4374 Ms. Adcock. Mr. Conyers votes aye.

4375 Mr. Nadler?

4376 Mr. Nadler. Aye.

4377 Ms. Adcock. Mr. Nadler votes aye.

4378 Ms. Lofgren?

4379 [No response.]

4380 Ms. Jackson Lee?

4381 [No response.]
4382 Mr. Cohen?
4383 [No response.]
4384 Mr. Johnson of Georgia?
4385 Mr. Johnson of Georgia. Aye.
4386 Ms. Adcock. Mr. Johnson votes aye.
4387 Mr. Deutch?
4388 Mr. Deutch. Aye.
4389 Ms. Adcock. Mr. Deutch votes aye.
4390 Mr. Gutierrez?
4391 [No response.]
4392 Ms. Bass?
4393 [No response.]
4394 Mr. Richmond?
4395 [No response.]
4396 Mr. Jeffries?
4397 Mr. Jeffries. Aye.
4398 Ms. Adcock. Mr. Jeffries votes aye.
4399 Mr. Cicilline?
4400 Mr. Cicilline. Aye.
4401 Ms. Adcock. Mr. Cicilline votes aye.
4402 Mr. Swalwell?
4403 [No response.]
4404 Mr. Lieu?
4405 Mr. Lieu. Aye.

4406 Ms. Adcock. Mr. Lieu votes aye.

4407 Mr. Raskin?

4408 Mr. Raskin. Aye.

4409 Ms. Adcock. Mr. Raskin votes aye.

4410 Ms. Jayapal?

4411 [No response.]

4412 Mr. Schneider?

4413 Mr. Schneider. Aye.

4414 Ms. Adcock. Mr. Schneider votes aye.

4415 Chairman Goodlatte. The gentleman from South Carolina?

4416 Mr. Gowdy. No.

4417 Ms. Adcock. Mr. Gowdy votes no.

4418 Chairman Goodlatte. The gentleman from California?

4419 Mr. Issa. No.

4420 Ms. Adcock. Mr. Issa votes no.

4421 Chairman Goodlatte. The gentleman from Iowa?

4422 Mr. King. No.

4423 Chairman Goodlatte. The gentleman from Arizona?

4424 Mr. Franks. No.

4425 Chairman Goodlatte. The gentleman from Texas, Mr.

4426 Gohmert? The gentleman from Ohio?

4427 Ms. Jackson Lee. Mr. Chairman, how am I recorded?

4428 Chairman Goodlatte. Let the clerk catch up here, I

4429 think --

4430 Ms. Jackson Lee. All right.

4431 Chairman Goodlatte. -- I moved too fast here. The
4432 gentlewoman from Texas?

4433 Ms. Jackson Lee. Aye.

4434 Ms. Adcock. Ms. Jackson Lee votes aye.

4435 Chairman Goodlatte. The gentlewoman from California,
4436 Ms. Bass?

4437 Ms. Bass. Aye.

4438 Ms. Adcock. Ms. Bass votes aye.

4439 Chairman Goodlatte. Has every member voted who wishes
4440 to vote? The clerk will report.

4441 Ms. Adcock. Mr. Chairman, 11 members voted aye, 18
4442 members voted no.

4443 Chairman Goodlatte. The amendment is not agreed to.
4444 Are there further amendments to House Resolution 203?

4445 Reporting quorum being present, the question is on the
4446 motion to report the bill, House Resolution 203 as amended
4447 unfavorably to the House.

4448 Okay, the question is on the amendment in the nature of
4449 a substitute.

4450 All those in favor, respond by saying aye.

4451 Those opposed, no.

4452 In the opinion of the chair the ayes have it and the
4453 amendment in the nature of substitute is agreed to.

4454 Reporting quorum being present, the question is on the
4455 motion to report the bill House Resolution 203 as amended

4456 unfavorably to the House.

4457 Those in favor respond by saying aye.

4458 Those opposed, no.

4459 In the opinion of the Chair the ayes have it and the
4460 bill is amended.

4461 Mr. Conyers. A recorded vote is required.

4462 Chairman Goodlatte. A record vote is requested and the
4463 clerk will call the roll.

4464 Ms. Adcock. Mr. Goodlatte?

4465 Chairman Goodlatte. Aye.

4466 Ms. Adcock. Mr. Goodlatte votes aye.

4467 Mr. Sensenbrenner?

4468 Mr. Sensenbrenner. Aye.

4469 Ms. Adcock. Mr. Sensenbrenner votes aye.

4470 Mr. Smith?

4471 [No response.]

4472 Mr. Chabot?

4473 Mr. Chabot. Aye.

4474 Ms. Adcock. Mr. Chabot votes aye.

4475 Mr. Issa?

4476 Mr. Issa. Aye.

4477 Ms. Adcock. Mr. Issa votes aye.

4478 Mr. King?

4479 Mr. King. Aye.

4480 Ms. Adcock. Mr. King votes aye.

4481 Mr. Franks?

4482 Mr. Franks. Aye.

4483 Ms. Adcock. Mr. Franks votes aye.

4484 Mr. Gohmert?

4485 Mr. Gohmert. Aye.

4486 Ms. Adcock. Mr. Gohmert votes aye.

4487 Mr. Jordan?

4488 Mr. Jordan. Yes.

4489 Ms. Adcock. Mr. Jordan votes yes.

4490 Mr. Poe?

4491 [No response.]

4492 Mr. Chaffetz?

4493 Mr. Chaffetz. Aye.

4494 Ms. Adcock. Mr. Chaffetz votes aye.

4495 Mr. Marino?

4496 [No response.]

4497 Mr. Gowdy?

4498 [No response.]

4499 Mr. Labrador?

4500 Mr. Labrador. Yes.

4501 Ms. Adcock. Mr. Labrador votes yes.

4502 Mr. Farenthold?

4503 Mr. Farenthold. Aye.

4504 Ms. Adcock. Mr. Farenthold votes aye.

4505 Mr. Collins?

4506 Mr. Collins. Aye.

4507 Ms. Adcock. Mr. Collins votes aye.

4508 Mr. DeSantis?

4509 Mr. DeSantis. Aye.

4510 Ms. Adcock. Mr. DeSantis votes aye.

4511 Mr. Buck?

4512 Mr. Buck. Aye.

4513 Ms. Adcock. Mr. Buck votes aye.

4514 Mr. Ratcliffe?

4515 Chairman Goodlatte. The clerk will suspend. I want to

4516 remind members we have one other matter to take care of,

4517 acknowledging a longtime member of the committee, so if you

4518 can remain for another minute after the vote is recorded we

4519 would appreciate that very much. And the clerk will resume

4520 the roll call.

4521 Ms. Adcock. Mr. Ratcliffe?

4522 [No response.]

4523 Ms. Roby?

4524 Ms. Roby. Aye.

4525 Ms. Adcock. Ms. Roby votes aye.

4526 Mr. Gaetz?

4527 [No response.]

4528 Mr. Johnson of Louisiana?

4529 Mr. Johnson of Louisiana. Aye.

4530 Ms. Adcock. Mr. Johnson votes aye.

4531 Mr. Biggs?

4532 Mr. Biggs. Aye.

4533 Ms. Adcock. Mr. Biggs votes aye.

4534 Mr. Conyers?

4535 Mr. Conyers. No.

4536 Ms. Adcock. Mr. Conyers votes no.

4537 Mr. Nadler?

4538 Mr. Nadler. No.

4539 Ms. Adcock. Mr. Nadler votes no.

4540 Ms. Lofgren?

4541 [No response.]

4542 Ms. Jackson Lee?

4543 [No response.]

4544 Mr. Cohen?

4545 Mr. Cohen. No.

4546 Ms. Adcock. Mr. Cohen votes no.

4547 Mr. Johnson of Georgia?

4548 Mr. Johnson of Georgia. No.

4549 Ms. Adcock. Mr. Johnson votes no.

4550 Mr. Deutch?

4551 [No response.]

4552 Mr. Gutierrez?

4553 [No response.]

4554 Ms. Bass?

4555 Ms. Bass. No.

4556 Ms. Adcock. Ms. Bass votes no.
4557 Mr. Richmond?
4558 [No response.]
4559 Mr. Jeffries?
4560 Mr. Jeffries. No.
4561 Ms. Adcock. Mr. Jeffries votes no.
4562 Mr. Cicilline?
4563 Mr. Cicilline. No.
4564 Ms. Adcock. Mr. Cicilline votes no.
4565 Mr. Swalwell?
4566 Mr. Swalwell. No.
4567 Ms. Adcock. Mr. Swalwell votes no.
4568 Mr. Lieu?
4569 Mr. Lieu. No.
4570 Ms. Adcock. Mr. Lieu votes no.
4571 Mr. Raskin?
4572 Mr. Raskin. No.
4573 Ms. Adcock. Mr. Raskin votes no.
4574 Ms. Jayapal?
4575 Ms. Jayapal. No.
4576 Ms. Adcock. Ms. Jayapal votes no.
4577 Mr. Schneider?
4578 Mr. Schneider. No.
4579 Ms. Adcock. Mr. Schneider votes no.
4580 Chairman Goodlatte. The gentleman from Texas, Mr. Poe?

4581 Mr. Poe. Yes.

4582 Ms. Adcock. Mr. Poe votes yes.

4583 Chairman Goodlatte. The gentlewoman from California?

4584 Ms. Lofgren. No.

4585 Ms. Adcock. Ms. Lofgren votes no.

4586 Chairman Goodlatte. The gentlewoman from Texas.

4587 Ms. Jackson Lee. How am I being recorded? Ms. Ms.

4588 Adcock. Not recorded.

4589 Chairman Goodlatte. You are not recorded.

4590 Ms. Jackson Lee. I vote no.

4591 Ms. Adcock. Ms. Jackson Lee votes no.

4592 Chairman Goodlatte. The gentleman from South Carolina?

4593 Mr. Gowdy. Yes.

4594 Ms. Adcock. Mr. Gowdy votes yes.

4595 Chairman Goodlatte. Has every member voted who wishes

4596 to vote? The clerk will report.

4597 Mr. Raskin. Excuse me, how am I recorded? Raskin.

4598 Ms. Adcock. No.

4599 Mr. Raskin. No? Okay, thank you.

4600 Ms. Adcock. Mr. Chairman, 19 members voted aye, 14

4601 members voted no.

4602 Chairman Goodlatte. The clerk will suspend. The

4603 gentleman from Florida, Mr. Deutch?

4604 Mr. Deutch. No.

4605 Chairman Goodlatte. Now the clerk will report.

4606 Ms. Adcock. Mr. Chairman, 19 members voted aye, 15
4607 members voted no.

4608 Chairman Goodlatte. The ayes have it and the bill as
4609 amended is ordered reported unfavorably to the House.
4610 Members will have two days to submit views. Without
4611 objection, the bill will be reported as a single amendment
4612 in the nature of a substitute incorporating all adopted
4613 amendments, and staff is authorized to make technical and
4614 conforming changes.

4615 I thank the members for staying. I would now like to
4616 take a moment to recognize a member of the committee staff,
4617 Douglas Alexander, who after 16 years of service to the
4618 judiciary committee will be retiring from Federal service
4619 this Friday, March 31st.

4620 Doug joined the committee as our printing clerk in 2001
4621 under Chairman Sensenbrenner. Since that time he has been a
4622 loyal and devoted member of the Judiciary Committee staff
4623 serving both the majority and minority, working under
4624 Chairman Smith, Chairman Conyers, and myself.
4625 Through the years, Doug has tirelessly exhibited a high
4626 degree of professionalism and a great attention to detail,
4627 both of which are essential qualities in this line of work.
4628 Doug has consistently generated quality work product on
4629 behalf of this committee and by extension for the American
4630 people.

4631 Over the years we have all come to appreciate, not only
4632 Doug's devotion to service, but also his quick wit, gentle
4633 demeanor, and willingness to always share a kind word with
4634 his coworkers, especially when the subject is D.C. sports.

4635 We greatly appreciate Doug's service and years of hard
4636 work to the judiciary committee, congratulate him and, of
4637 course, his wife, Shirley, on his retirement and wish him
4638 the best of luck as he starts this new chapter in his life.
4639 Doug, please accept my sincere thanks for a job well done.
4640 And I know the ranking member has similar sentiments that he
4641 would like to share and he is recognized.

4642 Mr. Conyers. Thank you, Mr. Chairman. Members of the
4643 committee, Doug Alexander is one of those workers who works
4644 for Democrats and Republicans and has done so for 16 years,
4645 as has been noted already, to ensure the smooth operation of
4646 committee business. His work has been conducted with utmost
4647 care and professionalism and we will sincerely miss his
4648 presence here. He is watching now and I want to join my
4649 chairman and all of you want to join all of us in thanking
4650 you, Doug, for your years of work and best wishes in
4651 whatever your new endeavors may be. And thank you, Mr.
4652 Chairman.

4653 Chairman Goodlatte. Doug is not here in the room, but
4654 I know for a fact that he is watching. So these sentiments
4655 are being conveyed.

4656 I thank you all for your participation today. This
4657 concludes our business and the markup is adjourned.

4658 [Whereupon, at 3:23 p.m., the committee adjourned
4659 subject to the call of the chair.]