

married Ben Hardcastle, a banker and World War II veteran, in 1947, and they would spend almost 63 years together before his passing in 2010.

Early in their married life, Ben accepted a job at the Beverly Hills Savings and Loan, so they moved to North Hollywood, CA. They immediately became active in their local church and, as a result, made friends with many Hollywood actors, including Ronald and Nancy Reagan.

Their friendship with the Reagans led to Barbara's involvement in California politics, including playing a key role in his race for Governor of California. She is also credited by many as having introduced the future President to Jelly Belly candy as he attempted to stop smoking. Friends and family say she kept him stocked with the company's signature jelly beans throughout his Presidency.

During their time in California, Barbara became an ordained minister and public speaker. She was also a trailblazing professional, serving as a supervisor and one of the first female executives with the Federal housing agency, Fannie Mae.

Ben and Barbara decided to retire in 1991 and returned to Arkansas, where they continued to be active in local, State and national politics. In addition to helping candidates for all levels of public office, Barbara used her experience to make a difference in the community.

I had many opportunities to work with Barbara over the years, but no occasion stands out more than her determined efforts on behalf of the 188th Fighter Wing when its future was threatened by the Base Realignment and Closure Commission, BRAC. She used her organizing skills to rally the community and show visiting BRAC committee members how strong support was for the base. Her leadership and industry helped save the Wing and bring more opportunity to the region.

Barbara was truly a force. Her strong values, hard work, wonderful sense of humor and personal conviction made a difference. I am grateful to have counted her as a friend and hope her legacy will continue to inspire young Arkansans to fight for their communities and their causes with the same determination that she did throughout her life.●

#### REMEMBERING GARY SPEARS

● Mr. BOOZMAN. Madam President, I rise today to honor the life of an outstanding Arkansan and Cleveland County leader, Judge Gary Spears. After a multiyear battle with cancer, Judge Spears passed away on January 10, 2021.

Judge Spears grew up on a small farm in New Edinburg, AR, and graduated with honors from New Edinburg High School in 1987. He attended the University of Arkansas at Monticello, where he studied agricultural business before marrying his wife Melody. The couple moved to Warren, AR, where

Judge Spears worked as a distributor for Big R Ice. The couple eventually returned to New Edinburg in 1996 and purchased the New Edinburg County Store, which they operated together for 10 years.

In 2007, Judge Spears was elected Cleveland County Judge, marking the start of an illustrious 14-year career as the longest serving county judge in county history. His undeniable leadership while presiding over Cleveland County had ripple effects that extended beyond the county borders and brought tremendous benefit to the entire State. A few recent and notable achievements during his tenure include successful efforts to ensure an accurate 2020 census count for Cleveland County and directly overseeing the county's finances during the COVID-19 pandemic by authorizing and approving the disbursement of funds.

Representing the citizens of Cleveland County was a clear passion for Judge Spears. He was also dedicated to farming. On the exact 10-acre plot that his father once farmed, Judge Spears worked diligently to continue his family's unique tradition of "truck-patch farming." He grew various crops, including tomatoes, beans, peas, squash, cucumbers, watermelons, peppers, and much more. In fact, his family's agriculture operation gained deserved recognition in 2019 when they were named Cleveland County Farm Family of the Year.

Judge Spears leaves behind a lasting legacy thanks to the confidence entrusted in him by his Cleveland County constituents. I am confident his selfless leadership as a Cleveland County judge, businessman, and family farmer will guide and inspire future generations of Arkansans.●

#### TRIBUTE TO GARLAND SHEPHEARD

● Mr. TILLIS. Mr. President, I rise today to pay tribute to Garland Shephard, who retired as the North Carolina House sergeant-in-arms at the beginning of the year. Mr. Shephard is a proud North Carolinian who was committed to keeping North Carolina legislators safe.

Garland Shephard is a lifelong resident of Tarboro, NC, where he resides with his wife Betty Jo. Mr. Shephard was successful car salesman and additionally served as Edgecombe County Republican Party chairman. He also served two terms on the Tarboro Town Council and has contributed a lifetime of service to his community.

Before representing North Carolina in the U.S. Senate, I had the pleasure of interacting with Mr. Shephard serving as North Carolina speaker of the house. Widely known for his brightly colored jackets and distinct Eastern North Carolina accent, Garland was loved by members from both sides of the aisle.

As the U.S. Senator from North Carolina, I am grateful for Garland's service

to our State and Nation. I hope he enjoys his much-deserved retirement back in Eastern North Carolina, and we will never forget his commitment to keeping North Carolinians safe.●

#### EXECUTIVE REPORT OF COMMITTEE ON FRIDAY, JANUARY 22, 2021

The following executive report of a nomination was submitted:

By Mr. GRASSLEY for the Committee on Finance.

\*Janet Louise Yellen, of California, to be Secretary of the Treasury.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### MESSAGE FROM THE HOUSE

At 7:12 p.m., a message from the House of Representatives, delivered by Mr. RASKIN (manager on the part of the House in the matter of impeachment of Donald John Trump), announced that the House has agreed to the following resolution:

#### H. RES. 24

*Resolved*, That Donald John Trump, President of the United States, is impeached for high crimes and misdemeanors and that the following article of impeachment be exhibited to the United States Senate:

Article of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against Donald John Trump, President of the United States of America, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

#### ARTICLE I: INCITEMENT OF INSURRECTION

The Constitution provides that the House of Representatives "shall have the sole Power of Impeachment" and that the President "shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors". Further, section 3 of the 14th Amendment to the Constitution prohibits any person who has "engaged in insurrection or rebellion against" the United States from "hold[ing] any office . . . under the United States". In his conduct while President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald John Trump engaged in high Crimes and Misdemeanors by inciting violence against the Government of the United States, in that:

On January 6, 2021, pursuant to the 12th Amendment to the Constitution of the United States, the Vice President of the United States, the House of Representatives, and the Senate met at the United States Capitol for a Joint Session of Congress to count the votes of the Electoral College. In the months preceding the Joint Session, President Trump repeatedly issued false statements asserting that the Presidential election results were the product of widespread fraud and should not be accepted by

the American people or certified by State or Federal officials. Shortly before the Joint Session commenced, President Trump, addressed a crowd at the Ellipse in Washington, DC. There, he reiterated false claims that “we won this election, and we won it by a landslide”. He also willfully made statements that, in context, encouraged—and foreseeably resulted in—lawless action at the Capitol, such as: “if you don’t fight like hell you’re not going to have a country anymore”. Thus incited by President Trump, members of the crowd he had addressed, in an attempt to, among other objectives, interfere with the Joint Session’s solemn constitutional duty to certify the results of the 2020 Presidential election, unlawfully breached and vandalized the Capitol, injured and killed law enforcement personnel, menaced Members of Congress, the Vice President, and Congressional personnel, and engaged in other violent, deadly, destructive, and seditious acts.

President Trump’s conduct on January 6, 2021, followed his prior efforts to subvert and obstruct the certification of the results of the 2020 Presidential election. Those prior efforts included a phone call on January 2, 2021, during which President Trump urged the secretary of state of Georgia, Brad Raffensperger, to “find” enough votes to overturn the Georgia Presidential election results and threatened Secretary Raffensperger if he failed to do so.

In all this, President Trump gravely endangered the security of the United States and its institutions of Government. He threatened the integrity of the democratic system, interfered with the peaceful transition of power, and imperiled a coequal branch of Government. He thereby betrayed his trust as President, to the manifest injury of the people of the United States.

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

The message also announced that the House has agreed to the following resolution:

#### H. RES. 40

*Resolved*, That Mr. Raskin, Ms. DeGette, Mr. Cicilline, Mr. Castro of Texas, Mr. Swalwell, Mr. Lieu, Ms. Plaskett, Mr. Neguse, and Ms. Dean are appointed managers to conduct the impeachment trial against Donald John Trump, President of the United States, that a message be sent to the Senate to inform the Senate of these appointments, and that the managers so appointed may, in connection with the preparation and the conduct of the trial, exhibit the articles of impeachment to the Senate and take all other actions necessary, which may include the following:

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

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

#### EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. RISCH for the Committee on Foreign Relations.

\*Antony John Blinken, of New York, to be Secretary of State.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee’s commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. BLUMENTHAL, and Mr. MARKEY):

S. 36. A bill to require certain helicopters to be equipped with safety technologies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CORNYN (for himself, Mr. BOOKER, Mr. TILLIS, and Mr. CARPER):

S. 37. A bill to address the public health risks posed by wildlife markets, and for other purposes; to the Committee on Foreign Relations.

By Mr. LEAHY (for himself, Mr. SCHUMER, Mr. DURBIN, Ms. DUCKWORTH, Ms. BALDWIN, Mr. CASEY, Mr. VAN HOLLEN, Ms. HIRONO, Mr. TESTER, Mr. BENNET, Mrs. FEINSTEIN, Mr. SANDERS, and Mr. PETERS):

S. 38. A bill to specify the Federal share of the costs of certain duty of the National Guard in connection with the Coronavirus Disease 2019; to the Committee on Armed Services.

By Mr. INHOFE:

S. 39. A bill to ensure the continued strength and leadership of the United States in the research and development of key technologies for future wireless telecommunications standards and infrastructure by providing additional authority for sanctions against certain foreign entities that pose a threat to national security, and for other purposes; to the Committee on Finance.

By Mr. BOOKER (for himself, Mr. DURBIN, Mrs. FEINSTEIN, Mr. COONS, Ms. HIRONO, Mr. SANDERS, Ms. DUCKWORTH, Mr. MARKEY, Mr. MERKLEY, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Ms. WARREN, Mr. CASEY, Mrs. MURRAY, Mr. BLUMENTHAL, and Mr. KAINE):

S. 40. A bill to address the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865 and to establish a commission to study and consider a national apology and proposal for reparations for the institution of slavery, its subsequent de jure and de facto racial and economic discrimination against African Americans, and the impact of these forces on living African Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes; to the Committee on the Judiciary.

By Mrs. CAPITO (for herself and Ms. WARREN):

S. 41. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, the Internal Revenue Code of 1986, and the Patient Protection

and Affordable Care Act to require coverage of hearing devices and systems in certain private health insurance plans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER:

S. Res. 15. A resolution authorizing the taking of a photograph in the Chamber of the United States Senate; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 35

At the request of Mr. VAN HOLLEN, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Ms. HIRONO), the Senator from Washington (Ms. CANTWELL), the Senator from Washington (Mrs. MURRAY), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Minnesota (Ms. SMITH) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 35, a bill to award a Congressional Gold Medal to Officer Eugene Goodman.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 15—AUTHORIZING THE TAKING OF A PHOTOGRAPH IN THE CHAMBER OF THE UNITED STATES SENATE

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 15

*Resolved*,

#### SECTION 1. AUTHORIZATION FOR PHOTOGRAPH.

(a) IN GENERAL.—Paragraph 1 of Rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol (prohibiting the taking of pictures in the Senate Chamber) shall be temporarily suspended for the sole and specific purpose of permitting an official photograph to be taken on January 26, 2021, of the swearing in of Members of the United States Senate for the impeachment trial of the former President of the United States.

(b) ADMINISTRATION.—The acting Sergeant at Arms and Doorkeeper of the Senate is authorized and directed to make the necessary arrangements to carry out subsection (a), which arrangements shall provide for a minimum of disruption to Senate proceedings.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. WYDEN. Mr. President, I have a request for one committee to meet during today’s session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today’s session of the Senate: