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No. 12

House of Representatives

The House met at 2 p.m. and was called to order by the Speaker.

PRAYER

The Chaplain, Reverend Margaret Grun Kibben, offered the following prayer:

Almighty God, on this first full day of a new administration, we offer our heartfelt prayers for the leaders of this country and for the future of our Nation. May they and we humble ourselves before You and call upon Your name. May they and each of us seek Your face in our midst as we lift up our hearts to You. As a people, we confess the malice of our ways.

Hear us in Your Heaven, forgive our sin, and heal our land. Consecrate this House that Your name may abide with us forever. Open Your eyes to us, and may Your ears be attentive to our prayer, for we pray in the strength of Your holy name.

Amen.

THE JOURNAL

The SPEAKER. Pursuant to section 5(a)(1)(A) of House Resolution 8, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Massachusetts (Mr. MCGOVERN) come forward and lead the House in the Pledge of Allegiance.

Mr. MCGOVERN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MOMENT OF SILENCE IN REMEMBRANCE OF VICTIMS OF COVID-19

The SPEAKER. The Chair asks all Members in the Chamber, as well as

Members and staff throughout the Capitol, to rise for a moment of silence in remembrance of more than 400,000 Americans who have passed away from the COVID-19 virus.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF H.R. 335, PROVIDING FOR EXCEPTION TO LIMITATION AGAINST APPOINTMENT OF PERSONS AS SECRETARY OF DEFENSE WITHIN SEVEN YEARS OF RELIEF FROM ACTIVE DUTY

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent that it be in order at any time to consider H.R. 335 in the House if called up by the chair of the Committee on Armed Services or his designee; that all points of order against consideration of the bill be waived; that the bill be considered as read; that all points of order against provisions in the bill be waived; and that the previous question be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Armed Services or their respective designees; and (2) one motion to recommend.

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

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 19, 2021.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 19, 2021, at 1:10 p.m.:

That the Senate is ready to receive Managers appointed by the House.

With best wishes, I am,

Sincerely,

ROBERT F. REEVES,
Deputy Clerk.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 2 o'clock and 5 minutes p.m.), the House stood in recess.

□ 1412

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CUELLAR) at 2 o'clock and 12 minutes p.m.

PROVIDING FOR EXCEPTION TO LIMITATION AGAINST APPOINTMENT OF PERSONS AS SECRETARY OF DEFENSE WITHIN SEVEN YEARS OF RELIEF FROM ACTIVE DUTY

Mr. SMITH of Washington. Mr. Speaker, pursuant to the order of the House of January 21, 2021, I call up the bill (H.R. 335) to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces, and ask

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to the order of the House of today, the bill is considered read.

The text of the bill is as follows:

H.R. 335

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXCEPTION TO LIMITATION AGAINST APPOINTMENT OF PERSONS AS SECRETARY OF DEFENSE WITHIN SEVEN YEARS OF RELIEF FROM ACTIVE DUTY AS REGULAR COMMISSIONED OFFICERS OF THE ARMED FORCES.

(a) IN GENERAL.—Notwithstanding the second sentence of section 113(a) of title 10, United States Code, the first person appointed, by and with the advice and consent of the Senate, as Secretary of Defense in an appointment made on or after January 20, 2021, may be a person who is, on the date of appointment, within seven years after relief, but not within four years after relief, from active duty as a commissioned officer of a regular component of the Armed Forces.

(b) LIMITED EXCEPTION.—This section applies only to the first person nominated after 12 p.m. (Eastern Standard Time) on January 20, 2021, and appointed as Secretary of Defense as described in subsection (a), and to no other person.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided and controlled by the chair and the ranking minority member of the Committee on Armed Services.

The gentleman from Washington (Mr. SMITH) and the gentleman from Alabama (Mr. ROGERS) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 335.

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

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, this is the bill that will grant a waiver, an exemption, to Lloyd Austin to be nominated and confirmed as the Secretary of Defense. This is required because there is a law on the books that says that you must be 7 years separated from military service in order to serve as Secretary of Defense.

Mr. Austin has been out for almost 5 years, but does not meet the 7-year requirement. So we need to pass this law to give him that exemption.

Now, this is not an easy question. Civilian control of the military is enormously important. That is why this law was put in place. But in looking at this, I feel there are three basic questions:

Number one, does the nominee in question understand and reassure us in the House—for the purposes of our vote

on this portion of the waiver—that he understands and is committed to civilian control of the military?

□ 1415

Second, is there something about this particular nominee that makes it important to grant this exclusion, to grant this waiver?

And, third, is the individual qualified for the job? Because I do believe that that is important, and the details of their history is important in deciding that.

And I have, after a lot of thought and a lot of conversations with Mr. Austin and others, concluded that all three of those criteria are met in this instance.

Taking the last one first, Lloyd Austin is unquestionably highly qualified to be the Secretary of Defense. He had a distinguished career in the military, serving in multiple different command posts, including the commanding general in Iraq, the head of CENTCOM, and the Vice Chief of Staff of the Army. It is beyond question that Lloyd Austin is qualified for this job.

He just finished a 2-hour presentation before the Armed Services Committee, taking our questions, in which he made it absolutely clear that he has a keen understanding of the issues that are going to face the Secretary of Defense and the experience and the intelligence necessary to deal with them. He is highly qualified.

On the first question of civilian control of the military, he has assured us over and over again of how important that is, and, more importantly, his actions reflect that.

He has come before the House, which you do not typically have to do in order to be confirmed to a Secretary-level position, but he has called us and he has reached out to us in a way that, frankly, 4 years ago, the Trump administration did not permit then-Secretary-nominee Jim Mattis to do.

He has called countless members of the committee; he has met with us. He has showed us that he respects what is really one of the cornerstones of civilian control of the military, and that is the House and the Senate. We are the ones who have oversight over the Pentagon. He has shown that he respects that.

So I can tell you and all Members voting, without a shadow of a doubt, I have no concern whatsoever about Lloyd Austin upholding civilian control of the military.

And then there is the second issue: Why this person, in this instance? Mr. Austin will be the first African American nominated.

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

Mr. SMITH of Washington. Mr. Speaker, I yield myself an additional 1 minute.

Mr. Austin will be the first African American nominated to be Secretary of Defense, which is enormously important in and of itself.

The military has a problem with diversity. They have an insufficient number of people of color who have been advanced to high positions, to general and general flag officers. It is enormously important that they address that.

In addition, in this country, we have an enormous problem right now with White supremacy. We also have a problem within our military ranks.

Now, let me be perfectly clear: I have 100 percent confidence in our military. But this is an issue that they do need to address, the rise of White supremacy and White nationalism within their ranks. Having a highly qualified African American be Secretary of Defense will be an enormous step toward addressing that problem.

So I believe 100 percent Mr. Austin has met the criteria to be granted this exclusion.

Lastly, I want to say, this law still matters because without this law we wouldn't have this process. We would not have the opportunity to question Mr. Austin in advance of his confirmation in the Senate. So the law has upheld its meaning and its role, to maintain civilian control of the military, by forcing this conversation.

Mr. Speaker, I urge all Members to vote in favor of the waiver for Lloyd Austin, and I reserve the balance of my time.

Mr. ROGERS of Alabama. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before I begin, I want to take a minute to thank the men and women of the National Guard for the service they have provided in protecting this Capitol over the last 2 weeks.

I especially want to thank the 750 men and women from the State of Alabama who came here to the call of duty.

Once again, these citizen soldiers left their homes and their jobs to respond to this call, and, although it is unfortunate they were needed, it is certainly appreciated by all of us that they were here.

Mr. Speaker, I firmly believe that each President deserves the opportunity to fill their Cabinet as they see fit. And I agree that it is important to confirm President Biden's national security team as soon as possible, especially given the grave threats that we face.

Four years ago, this House provided a process to consider a waiver for General Mattis. We were all disappointed when General Mattis did not appear before the Armed Services Committee. Yet the Armed Services Committee still convened and held a public mark-up of the waiver, which passed without a single vote from any Democrat. Then the full House debated and voted on the waiver.

This time around, the Armed Services Committee was excluded from the process by the Democrat leadership of this House. This was not a decision

made by Chairman SMITH, who wanted a public hearing as much as I did. There has been no public hearing, no markup of a waiver, no opportunity for amendments.

Just 4 years ago, Democrat leadership told us how important it was to follow regular order and allow the Armed Services Committee to consider the Mattis waiver.

Speaker PELOSI said, "The American people are entitled to regular order and thoughtful scrutiny of nominees and any potential waivers."

Majority Leader HOYER said, "The committee has a right and a responsibility to inquire of General Mattis why he thinks he ought to be given a waiver."

I guess this time around they don't feel the same way.

Mr. Speaker, civilian control of the military is a fundamental tenet of our Republic. It is rooted in our Constitution. The law prohibiting recently retired military from serving as Secretary of Defense was enacted shortly after World War II to uphold this principle.

In nearly 75 years, the law has only been waived twice, for General Marshall and General Mattis. This will be the third time.

But Biden didn't have to do it this way. There was a strong pool of diverse civilians and former military leaders with qualifications and experience to serve as Secretary. President Biden could have selected from this talent pool, but he chose not to.

I voted for the waiver for General Mattis, and I will vote for the waiver for General Austin. For me, it is just fair—a waiver for a Republican President and a waiver for a Democrat President.

But I stand here frustrated by this dysfunctional process. President Trump and President Biden forced this Congress into situations made worse, this time around, by the Speaker's decision to ignore regular order.

Congress should not have to entertain these waivers. Presidents need to follow the law as written. They need to stop asking Congress to waive a statute. And we certainly shouldn't be forced to do so outside of regular order. If Presidents don't think the law matters, then they need to address this waiver issue in this year's NDAA.

Mr. Speaker, America faces extraordinary threats from strategic competitors like China and Russia, rogue nations like Iran and North Korea, as well as terrorists and other transnational enemies. It is more critical now than ever to strengthen our military, address mounting readiness problems, and modernize our conventional and nuclear forces to defeat these threats.

I believe General Austin understands the threats that we face. I believe he respects the principle of civilian control. I believe he will stand up to the efforts of many of the Democrat majority who seek to slash defense spending and rewrite our defense strategy.

I hope the rest of the Biden administration shares his commitment for providing for our men and women in uniform the resources they need to successfully defend our Nation.

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

Mr. SMITH of Washington. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, we are going to have process arguments all year long in this House, but what was just said is really disingenuous. The only reason that we didn't go through regular order, the only reason we didn't have a public hearing, and the only reason we didn't have a vote in our committee is because the Republicans, as we stand here right now, have not appointed their members to the Armed Services Committee. So, therefore, we don't have a committee.

It is the day after Mr. Biden has become President. He needs his Secretary of Defense. I have begged the Republicans for the better part of a month to appoint their members so we could do our job.

So for them to choose not to appoint their members and then come to the floor crying about process, that is not really fair. We tried to do the process right. They stopped us from doing the process right. I want the record to reflect that.

Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. BROWN), a soon-to-be member of the Armed Services Committee.

Mr. BROWN. Mr. Speaker, Lloyd Austin, as we have heard, would be our country's first African-American Secretary of Defense. His confirmation is more than a symbolic milestone towards genuine integration of the Department of Defense; it is a substantive answer to many of the challenges that the military faces.

What are those challenges, Mr. Speaker? White supremacy and extremism. There is a dramatic rise in White supremacists and racist hate groups within our military. They actively recruit from our uniformed ranks. A Military Times survey found an alarming rise in White supremacist and racist ideology in the military.

What are those challenges, Mr. Speaker? The lack of diversity inclusion at our highest ranks and in our coveted career fields. Racial and ethnic groups make up more than 40 percent of the Nation's military, but there is a significant lack of diversity in civilian and military leadership at the most senior levels, due in large part to systemic racial bias in promotion and assignment boards. This hurts the military, our readiness and our effectiveness.

Who are those challenges, Mr. Speaker? The military isn't immune from the racial injustice that we see in the broader criminal justice system. Under the Uniform Code of Military Justice today, a Black servicemember is two times more likely to be court-martialed or punished.

These are real challenges that erode the effectiveness of our military. That is why we need a leader like Lloyd Austin. He understands the complexities of the military and the challenges our country faces. His lived experience and his professional record cry out for a waiver to lead the Department of Defense.

President Biden is committed to civilian control of the military, protecting our men and women in uniform, and restoring American leadership. President Biden has confidence in Lloyd Austin, and so should we. He is the right man for this moment for our military.

Mr. Speaker, I strongly urge my colleagues to support the waiver of soon-to-be Secretary Lloyd Austin at the Department of Defense.

Mr. ROGERS of Alabama. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to address my friend, the chairman's remarks about the establishment of the Armed Services Committee.

We did not establish our members from our steering committee because we didn't get our ratio from the Democrat leadership until last week. It was physically not possible.

Had we gotten our ratio a month ago or even 2 weeks ago, we would have sat our members, and we would have had a sitting committee.

The reason we didn't have a public hearing today, the chairman is right, we didn't have a sitting committee. That is the fault of the Democrat leadership, not the minority.

Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. GALLAGHER), my friend and colleague.

Mr. GALLAGHER. Mr. Speaker, I thank my colleague from Alabama for his strong leadership as our new ranking member, and I look forward to working with him and the chairman on what is truly still, I think, the most bipartisan committee in Congress.

I want to make clear that I have enormous respect for General Austin's service. I don't think anyone can look at his record and not come away very impressed.

But I also strongly oppose this bill. There is no waiver; we are actually changing the underlying law. This was one of the biggest talking points 4 years ago. And we should not do so lightly.

Much has been made about the historic nature of Mr. Austin's nomination, which is true but in more ways than one. If we change the law today, we will now have done so twice within 4 years, effectively destroying the historical precedent against such exemptions.

We will also invert the congressional intent in the underlying National Security Act by setting the precedent that the presumption is for approval, not the disapproval, of recently retired officers.

So the law and the norm of civil-military relations that it is meant to buttress is on life support right now.

And, as in 2017, we will be granting this exemption without a public hearing of the Armed Services Committee, which is the bare minimum of our constitutional obligations. We will be getting rolled over, to borrow a phrase that was used 4 years ago.

And I don't know, I am not in the room where these ratios are discussed, and this and that, but it seems to me that it is worth waiting a few days in order to have such a public hearing, but it is my understanding that our entire workweek next week has been canceled.

So I don't think it withstands basic scrutiny to suggest that we couldn't have had a public hearing to discuss this very, very important issue.

Now, 4 years ago, I voted in favor of the exemption for Secretary Mattis. I think it was my first vote. It was certainly my first speech on the House floor. So it is fair to ask what has changed. Well, a lot has changed.

First and perhaps most importantly, the threat from China is far greater, and we need a Secretary with INDOPACOM experience. The nominee has admitted that he is not uniquely qualified in that regard, and I don't think there is a more important aspect of his experience that we could analyze in considering whether to change the underlying law.

Second, budgetary pressures on the Department are much bigger. Particularly in the post-pandemic world, it is going to be far more difficult to build off of the success that we have had in giving the Department the resources it needs, and we will need a Secretary with political experience who can fight and win interagency battles for a higher top line.

And, third, we also have more data. Four years ago, we ran this experiment for the first time in 67 years, and we learned that recently retired general officers face unique challenges when leading the Department—specifically, the need to publicly advocate for a higher top line, which requires some political experience. And the nominee has made much of the apolitical nature of his prior experience.

Now, I know in politics we are not supposed to change our minds, but if we are unwilling to learn from recent experience or change our minds in response to new information, then we are doomed to repeat the exact same mistakes.

□ 1430

This is why I am voting “no,” among other reasons.

But I want to be clear. I want Mr. Austin, soon-to-be Secretary Austin, to be successful in this job. Nothing would make me happier than to look back on his time at DOD and be able to say he was the most successful Secretary of Defense in our Nation's history because that will mean that we as a committee were successful in working with him to do what is right for our men and women in uniform and do what is right for the rest of the country.

Though I will oppose changing the law again for the second time in 4 years, I very much look forward to working with my colleagues, both Republican and Democratic. I genuinely appreciate the honest exchange of views we had 4 years ago and 4 years later. I can only say that 4 years from now, I hope we are not having the same debate because it will prove we have learned nothing from this.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished Speaker of the House.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding and for his extraordinary leadership as chair of the Armed Services Committee.

He brings us to the floor today for a very special privilege. We in the House really most of the time do not have too much say as to who will be a member of the Cabinet. That is, advise and consent responsibility lies with the Senate. But today, because of the special nature of the appointee, we are here to talk about a waiver.

As a Member of Congress, again, there is no more serious responsibility. It is the oath we take to protect and defend. Our responsibility is to protect the American people. That responsibility is why we must waste no time ensuring that President Joe Biden's national defense and national security team is confirmed, ready and able to keep our country and our people safe.

President Biden selected a highly qualified and widely respected leader in nominating General Lloyd Austin for Secretary of Defense. General Austin has led with honor and served with dignity. With over 40 years of decorated Army service, Secretary-designate Austin brings a great understanding of the challenges facing our Nation's defense and a deep appreciation for the sacrifice of our military and their families.

The historical circumstances of this nomination, in light of the deadly insurrection assault on the Capitol, the coronavirus pandemic, the undermining of the Pentagon by the previous President, and more, necessitate the expeditious confirmation of this extremely qualified leader.

I do want to say as a constitutional officer—the Speaker of the House is a constitutional officer, written into the Constitution—and as a former leader of the Intelligence Committee, a Democratic leader of the Intelligence Committee, my commitment to a strong civilian control of our military, as required by the Constitution, is strong.

It is not an issue with us, Mr. Speaker. It is a value, civilian control of the military. The Congress' power to grant or withhold an exemption for recent Active Duty military servicemembers to be the Secretary of Defense must be treated with gravity and extreme diligence.

That is why I am so glad that President Biden and General Austin insisted

and met our request to come to speak to Armed Services Committee members. That did not happen under General Mattis. I am a big fan of General Mattis, but President Trump said he could not come speak to the Congress, and that is a big difference. That is a big difference.

Again, with gratitude to President Biden in recognizing the important role that the House of Representatives plays in this, I had the privilege, as have other Members, of hearing from General Austin as well as the committee today.

By the way, in case you didn't notice, when we are talking about timetables relating to committee ratios, 2 weeks ago, there was an insurrection in this Chamber. It was disruptive of the normal pattern unfolding. We all had to adjust our schedules and address the needs of our caucuses and this Congress accordingly, in case you didn't notice.

Again, my conversations with the Secretary-designate have assured me that he understands, respects, and will uphold the critical priority of civilian control of the military. He has spoken several times to the chairman of the House Armed Services Committee and members of the committee and has given similar assurances.

The Secretary-designate has further demonstrated his commitment to transparency with the Congress, respecting the weight of the decision that we now make by, as I mentioned, meeting with members of the Armed Services Committee to discuss this issue earlier today.

In the face of the many threats, both foreign and domestic, confronting our Nation, it is essential that Secretary-designate Austin be immediately confirmed. Blocking this waiver would be a mistake that, among other dangers, would delay the urgent work to be done to restore the independence and capabilities of the Defense Department, which we must do as soon as possible.

Mr. Speaker, I urge a strong bipartisan vote to grant this waiver for Secretary-designate Lloyd Austin to serve as Secretary of Defense. I salute him for his patriotism, thank him for his heroism, and look forward to calling him Mr. Secretary.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. JACOBS).

Mr. JACOBS of New York. Mr. Speaker, I rise today in support of the waiver allowing General Lloyd Austin to serve as Secretary of Defense.

Civilian leadership at the top of the Pentagon is desirable and necessary. I believe this should only be reserved for unique circumstances. Regularly nominated candidates who require waivers is not a precedent we should set.

However, examining General Austin's credentials and the circumstances facing our Nation lead me to believe the approval of this specific waiver is warranted.

The COVID-19 pandemic is still ongoing. China is growing bolder and more

aggressive, using espionage, cyber warfare, and manipulation to undermine U.S. and global security. Iran remains an ever-present threat to the Middle East and the world. North Korea continues to pursue an ambitious nuclear weapons development program.

These issues and others require the steady hand of an experienced and qualified Secretary of Defense. General Austin meets these requirements and is more than qualified to oversee our Nation's military.

Mr. Speaker, I urge the support of this waiver. I look forward to working with Secretary Austin to confront these very real threats to our national security.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. KHANNA).

Mr. KHANNA. Mr. Speaker, I thank the chairman for his leadership.

Mr. Speaker, in history, there are many generals who are celebrated for logistical feats to win a war. Rare is a general who is celebrated for logistical feats to end a war.

General Austin presided over the most significant withdrawal of troops and equipment, over 150,000 troops from Iraq, successfully. He helped bring that conflict to an end.

General Austin helped us prevent getting into a catastrophic conflict in Syria.

Now, I don't think the American people are concerned about process arguments, about whether someone wore a uniform or didn't wear a uniform. What they want to know is the outcome. Is the leader going to help start new wars or end wars? General Austin, with Secretary Blinken and Jake Sullivan, is going to help end the war in Yemen.

They want to know: Is a leader going to turn a blind eye to White supremacy, or are they going to stand up for equality? General Austin will stand up for equality in our military.

Most importantly, they want to know: Is a leader going to circumvent the President of the United States, as certain civilian leaders have, or is the leader going to defer to the duly elected President of the United States? General Austin deferred to President Obama, and he will absolutely defer to President Biden.

The last point I hear my colleagues say is, well, he doesn't have expertise in China or India. Well, first of all, no one has expertise in every region of the world. No one is going to have a Ph.D. thesis about every country.

The important thing is that we do not need another leader who is going to saber rattle and get us into another cold war with China. We need someone who is going to be tough but who is going to have the wisdom and the judgment to defer to the national security team and the President and help create a constructive relationship. General Austin will do that.

Mr. Speaker, I proudly support his nomination for Secretary of Defense.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman

from Georgia (Mr. CARTER), my friend and colleague.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of this waiver.

General Lloyd Austin grew up in south Georgia, where he was raised by his parents in Thomasville. A graduate of West Point, he would go on to a career that spanned numerous units, responsibilities, and engagements. His first assignment was to the 3rd Infantry Division, now stationed in my district at Fort Stewart.

In the early 2000s, he served as assistant division commander for the 3rd Infantry Division during the invasion of Iraq. He would later go on to serve as a division commander and the chief of staff of the United States Central Command, CENTCOM; the commander of the XVIII Airborne Corps; the Army vice chief of staff; and, finally, the commander of CENTCOM.

He has been described as a private individual who is committed to carrying out his duties.

I, like others, have my reservations about continuing down a path of waivers for former military leaders to serve in civilian positions. What first started with a waiver for General Marshall in 1950 and then again for General Mattis in 2017, we have now seen several requests for what many see as a once-in-a-generation issue. However, General Austin's service and assignments are a reflection of his success in his military career.

If confirmed, it is my hope that General Austin will carry out his commitment to civilian control of the Department of Defense and advocate for the priorities central to national security, such as the modernizing of the triad.

In a time when our adversaries seek to capitalize on any weaknesses, we need strong leadership. General Lloyd Austin will provide us with that.

Mr. SMITH of Washington. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the chairman and Mr. ROGERS from Alabama, the ranking member, for bringing this forward as a bipartisan effort.

Mr. Speaker, I rise as one of those who opposed the waiver for General Mattis. People ask me, well, what is the difference? Mr. GALLAGHER raised this. You change your mind.

Let me tell you what makes the difference for me, Mr. Speaker. I think this law is a very relevant law. It is a very important law. It anticipated, when the Congress passed it, that there would be reasons for waiver, or it would not have included it. It would have made a preclusion. It did not do that.

It said under circumstances that the Congress considers, it may be well be in order to have a waiver. This, I think, is one of those times.

Very frankly, one of the reasons I voted "no" on Mr. Mattis is because Mr. Trump did not know Mr. Mattis, his outstanding military service.

□ 1445

General Mattis really didn't know Mr. Trump; and that relationship did not go well, unfortunately. In my view, General Mattis was a great tower of strength and independence in leading the Department of Defense. So I congratulate him for his service, although I participated in a meeting in the White House in which President Trump was very harsh in his analysis of General Mattis, which I thought was unfortunate. But this difference that I see today is a very important one.

What is that difference?

The President of the United States—the Commander in Chief, the civilian leader—knows General Austin, has worked with General Austin, and has taken the measure of General Austin, and they have a relationship, a positive relationship.

In addition to that, of course, the son of the President, Beau Biden, serving in the military, served with General Austin and took the measure of the man and his commitment to civilian leadership in the Armed Forces—a critically important concept for the Secretary of Defense.

One problem that dictates the speediest possible passage of this bill is the security situation in which we find ourselves. Always in a transition the enemy can think you are weak and not able to respond in an effective way. That is why, traditionally, Mr. Speaker, the Congresses do, in fact, confirm the Secretary of Defense and the Secretary of State.

Ms. Avril Haines was just confirmed as the head of the DNI. It is because we do not want a long period of time between having somebody in charge in the Defense Department and, in this case, somebody in charge who obviously knows and agrees with the principles of the President of the United States.

I am sure he will give good advice and sometimes he will disagree, but we have a confidence relationship. So very, very important.

This is not a moment for our country to be without a Secretary of Defense. Secretary-designate Austin is a highly qualified nominee, spoken to by the bipartisan support that this waiver will garner this day in the Congress of the United States. Mr. Speaker, he would make history, of course, as has been pointed out, and not an insubstantial mark on history.

Secretary-designate Austin is the first African American who will be Secretary of Defense. At this time, our country is fighting to overcome the legacy of slavery, segregation, and prejudice, as has been pointed out by my friend, Mr. BROWN, who served as a lieutenant colonel in the Armed Forces.

Secretary-designate Austin served in Iraq. Forty percent minorities. What a symbol and a bridge between those of the majority and those of the minority in our services, which will coalesce and bind together better the units, which is extraordinarily important.

Secretary-designate Austin served our Nation admirably in uniform and oversaw the safe and successful draw-down of our troops in Iraq, as has been pointed out by Representative KHANNA. In doing so, he earned the trust of then-Vice President Biden and Beau Biden.

Because of Secretary-designate Austin's recent military service, he requires a waiver. But, again, the waiver is included so that the Congress can make a determination as to whether this is appropriate. I can't think of a more appropriate Secretary of Defense than somebody who has great knowledge and confidence of the Commander in Chief. We ought to take that action without delay.

Mr. Speaker, we must always have a clear delineation between the military and civilian authorities in this country. I have a picture hanging on my wall, which is also in the rotunda. I have it in my office because it is in the Maryland State Senate, the Old Chamber. It is still in existence, still in the capitol in Annapolis, of George Washington resigning his commission as Commander in Chief of the Continental Army. And I always point out to people who come into my office that the Members of the Continental Congress are seated notwithstanding their inclination in the presence of this great, iconic figure was to stand and pay reverence to him. And George Washington said, "No, you sit," because the civilian government is superior to the military. What a great lesson George Washington taught us at that time, which, thank God, has been revered until this time.

I think this appointment is the right appointment. I think it will be good for America. I think it will be good for the Armed Forces of the United States of America. I think the President has chosen well.

I urge my colleagues to grant this waiver. This, I would add, is not confirmation. Our brothers and sisters in the United States Senate will still have to judge and give advice and consent to this appointment, but this waiver is a precondition to their considering it on the merits. I hope that we will give them that.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN), who is the ranking member of Readiness Subcommittee.

Mr. LAMBORN. Mr. Speaker, I thank the ranking member for yielding to me.

I have heard from people today who voted "yes" on Mattis and now they are "no;" or they voted "no" on Mattis and now they are a "yes." I guess that makes me a model of consistency because I am a "yes" and a "yes."

Mr. Speaker, we should vote "yes" to give this waiver because, as Mr. HOYER has just said, the security needs are pressing upon us. We can't take weeks and weeks to get this person installed. So we need to act quickly and we need

to have a waiver rather than starting all over again in this process.

The other thing is Mr. Austin has been out of the military for almost 5 years. Under the law, there is a 7-year cooling off period. Five years, in my mind, is almost as good as 7 years.

I mean, what is magic about 7 years?

Is 6 years and 10 months not good enough, but 7 years and 1 month is good enough?

There is a little arbitrariness involved here when choosing 7 years in the first place. I believe that 5 years—almost 5 years is sufficient for Mr. Austin to have cooled off.

We had a roundtable today in committee. I thank the chairman for having that roundtable. We heard from Mr. Austin. He very eloquently stated, yeah, he could stand up to people who were in the military. He can tell them what is good for the civilian control of our country. I trust him. He is the right man for the job.

Our security needs are too pressing to keep dilly-dallying on this. Let's vote "yes" on this issue and supply the waiver today.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the other gentleman from Colorado (Mr. CROW).

Mr. CROW. Mr. Speaker, this waiver vote is about our long history of civilian control of the military, a critical safeguard of our democracy.

But let's be really clear what this vote is not about. It is not about the rise of China or artificial intelligence or autonomous warfare or any of the other issues that I have heard people talk about that are really the purview of the Senate at this point in the process and President Biden. It is also not about changing the law, because the law remains in effect and the limitation remains in effect.

The question before this body is whether there are specific extenuating circumstances in this moment in time to grant a waiver and whether the heart and mind of the nominee is consistent with the spirit of the law.

In the aftermath of January 6, we are reminded how deeply rooted racism exists in our country. Among those who stormed the Capitol were current and former military, a fact that highlights the national and domestic security threat of extremism in our military.

Secretary-designate Austin is uniquely qualified with his experience and his background to address this threat. He understands in a deeply personal way how to deal with it. He is a man who understands that our military is more than a formation of tanks, planes, and troops; that it is actually a standard bearer of our values, and we are stronger when we lead with our values and we channel the full strength of our diversity to meet our threats.

In addition to that, nobody can stand up here and say, as we are still under cyber attack by Russia and meeting so many other threats, that the extenuating circumstances of the time do not merit getting a nominee into this role

immediately. That is why I rise in strong support of Lloyd Austin's nomination and waiver, and I will be working very hard to support him as our next Secretary of Defense.

Mr. ROGERS of Alabama. Mr. Speaker, I have two more speakers who aren't here yet. So I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Mr. Speaker, I rise today in full support of the waiver for General Lloyd Austin, to grant President Biden his historic nomination for Secretary of Defense.

The concern of civilian control of the military and Department of Defense should not be lost in this waiver. There are valid concerns in granting second waivers so soon. The missed opportunity for the House—the Chamber closest to the American citizens to hear from General Austin directly—is disappointing, but these are not normal times. The layers of security currently protecting the Capitol is a stark reminder that President Biden, our servicemembers, and our Nation need top defense leadership in place expeditiously.

There is no question General Austin is a devoutly patriotic man. He has served our country with utter distinction and honor. His qualifications, experience, and perspective are what our Nation needs today. His service to our country extends over 4 decades. His talent and dedication to America's security shines in roles few Americans can fully comprehend. Yet again and again he stands before us, hat in hand, willing to serve the Stars and Stripes today.

The question is: Can he disconnect a potentially unconscious bias toward a military mindset?

As he assured the Senate and the American people throughout his confirmation hearing, there is no doubt he will. He has been honed in decision-making in the most difficult situations. In a matter of weeks, both the House Armed Services Committee and our Defense Appropriations Subcommittee will welcome a newly minted Secretary of Defense Austin.

Members can hear even more from him directly as to how he will lead as a civilian. Over my years as a defense appropriator, I have come to realize our military personnel are phenomenal at filling the roles they are assigned.

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

Mr. SMITH of Washington. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, our military personnel are continuously placed in nontraditional positions and time and again perform flawlessly. There is no doubt General Austin understands being a member of the President's Cabinet requires a different perspective. He will fill this role and perform admirably.

For these reasons, I encourage all my colleagues to support this waiver.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. ISSA).

Mr. ISSA. Mr. Speaker, I rise today in support of H.R. 335 because there is a consistency 4 years ago when I rose in support of a previous general. But when I look at General Lloyd Austin, I see a qualified individual, in my opinion, and I see somebody worthy of the Senate considering. But I also see that, in fact, we are setting a precedent. Sixty-seven years, we didn't. Two administrations in a row, we have.

I strongly recommend today that the Armed Services Committees in both bodies begin the process of looking at what the true length of time should be and what exceptions and exemptions need to be there.

Although General Austin is a very qualified individual, he still will have subordinates whom he helped promote. He still will have people whom he is extremely close to. And that creates a question of civilian leadership.

So although I am not here today to speak in any way against the general or any way against his predecessor, General Mattis, I am saying that it is time for this body, after this vote, to move to a deliberative process and regular order and begin asking: Is 10 years right? Is 7 years right?

If 1 year is right, what will be the requirements for that individual before we again face that with some future highly qualified former military person?

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Speaker, I thank the gentleman from Washington for yielding.

Mr. Speaker, I rise in strong support of H.R. 335, legislation to allow President Biden to appoint General Lloyd J. Austin, III, as our next Secretary of Defense. Throughout my tenure on the National Security Subcommittee, I have had the personal opportunity to meet with and interact with General Austin on numerous occasions in the field during the course of several of our oversight investigations.

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Beginning in the early stages of Operation Enduring Freedom, we met in Kabul, Afghanistan, during his deployment as commander of Combined Joint Task Force 180. I dealt with General Austin again in the midst of Operation Iraqi Freedom as well as during Operation New Dawn. We also met in Baghdad during his multiple deployments as commander of the Multinational Corps and commander of United States Forces-Iraq.

And I have personally received multiple intelligence briefings from General Austin in his capacity as commander of U.S. Central Command. By the way, he was the first African Amer-

ican to lead that critically important combat command.

Throughout the congressional investigations into the progress of U.S. military diplomatic and reconstruction efforts in Afghanistan, Iraq, Syria, and other regional conflicts, General Austin has never failed to provide us with direct access to the battlefield and the straight and honest and hard facts as he saw them on the ground.

His assessment proved to be critical to our oversight mission and the development of legislation concerning U.S. defense, national security, and counterterrorism policies.

He always demonstrated a maximum respect for the constitutional oversight role of the United States Congress and clearly held the highest regard for the civilian leadership of the Department of Defense.

Mr. Speaker, General Austin is especially qualified and deserving of a congressional exemption that will allow President Biden his appointment as Secretary of Defense. I urge my colleagues on both sides of the aisle to support H.R. 335.

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

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I think I would like to raise the question, what would Abraham Lincoln do, a man who faced the turmoil of a divided Nation. I think he would look for an individual like General Mr. Lloyd Austin, someone who had had the balance of seeing life as a civilian but being an impeccable leader of the United States military.

Mr. Speaker, before I came to this floor, I walked down Independence Avenue to greet the young men and women in the National Guard who had come here from Texas. I wanted to let them know how important it was for them to be here to defend the citadel of democracy and how grateful we were that we had a peaceful transition of power yesterday.

What I see in Mr. Austin is a recognition that civilian control of the military has been a bedrock principle of our democracy since the founding of our Republic. Yet, at the same time, in the backdrop of the last 4 years, I think he is needed for two reasons.

One, the military has faced an enormous amount of instability. They were called "suckers" and "losers." Generals were criticized. So you need someone who is a military person's military person, someone they know is part of the team.

Then you need someone who can build that morale. Yes, we had morale in the previous administration of President Barack Obama, having respected them. Now, I believe we must give President Joe Biden the opportunity for his Secretary of Defense.

Mr. Speaker, I am grateful for my colleagues on the other side of the aisle

who will support this concept, knowing that we believe that civilian control of the military is a bedrock.

I do think that we cannot call this a precedent. One and two is not a precedent. I do think we can look at maybe some other definitions of what it means.

But a man who is able to end a war of 150,000 soldiers coming home is a man who can lead the United States military in a spirit of lifting the morale, providing stability, and calling them the brave men and women that they are.

Let's support the waiver. Vote "yes" on this resolution.

Mr. Speaker, as a senior member of the Committees on the Judiciary and on Homeland Security, I rise in support of H.R. 335, which provides an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces so that President Biden can nominate retired four-star Gen. Lloyd J. Austin III to serve as the next Secretary of Defense.

Gen. Austin retired from active duty in 2016, which under current law (10 U.S.C. § 113(a)), makes him ineligible for appointment as Secretary of Defense.

Civilian control of the military has been a bedrock principle of our democracy since the founding of the Republic.

That principle has served the nation well and we should depart from it only where there is compelling reason to do so.

Indeed, in the history of the Department of Defense, the only Defense Secretary ever given a waiver was then-Secretary of State, General George Marshall—who was provided an individual waiver in 1950 at the height of the Korean War in a stand-alone bill approved by the Congress.

That is why I did not support granting waiver for General Mattis to be nominated as Secretary of Defense in the last administration. Even General Mattis is a great general and a great American and served well as Secretary of Defense.

But the experience of the last four years leads me to a different result today.

For four years, the Department of Defense has had to deal with attempts by the last President and his staff to undermine the independence and capability of the Department of Defense, going so far as to refer to the men and women who risk their lives to keep us free as "suckers" and "losers" and appointing unqualified persons as Acting Secretary of Defense and to other senior positions.

The Pentagon needs—the United States needs—an experienced, Senate-confirmed Secretary of Defense to restore morale and regularity as soon as possible.

I agree with President Biden that Gen. Austin's many strengths and intimate knowledge of the Department of Defense and our government are uniquely matched to the challenges and crises we face.

The next Secretary of Defense will need to immediately quarterback an enormous logistics operation to help distribute COVID-19 vaccines widely and equitably.

General Austin oversaw the largest logistical operation undertaken by the Army in six decades—the Iraq drawdown of 150,000 service personnel.

The next Secretary of Defense will need to ensure the well-being and resilience of our servicemembers and their families, strained by almost two decades of war.

General Austin knows the incredible cost of war and the hardships experienced by the families that pay it.

The next Secretary of Defense will have to make sure that our armed forces reflect and promote the full diversity of our nation.

General Austin is uniquely qualified to lead and oversee this effort to ensure that every member of the armed forces is treated with dignity and respect, including Black, Latino, Asian American, Native American, women, and LGBTQ+ service members.

General Austin, who was born in Mobile, Alabama and raised in Thomasville, Georgia, graduated from the United States Military Academy with a Bachelor of Science degree in 1975 and rose through the Army's ranks during his distinguished and trailblazing career, becoming only the sixth African American to attain the rank of an Army four-star general, and over his nearly four-decade military career, challenged his beloved institution to grow more inclusive and more diverse at every step.

General Austin was the first African American general officer to lead an Army corps in combat and the first African American to command an entire theater of war, and if confirmed, will be the first African American to helm the Defense Department, which will signal to every American and every member of the Armed Forces that the country they pledge the last full measure of devotion is one of endless possibilities.

Any lingering concerns I may have about injuring the sacred principle of civilian control over the military have been laid to rest by the Armed Services Committee Chairman SMITH's representations that General Austin has assured him that he understands this crucial principle and that he is completely committed to upholding it.

In addition, Chairman SMITH represents that General Austin has agreed to appear before the members of the House Armed Services Committee to address the issue, and he has already spoken to numerous House members and made it clear that he will ensure that civilian control of the military is maintained.

Finally, President Biden has also already expressed his intent to nominate civilians with strong backgrounds and expertise to fill the roles of Deputy Secretary of Defense, Under Secretary of Defense for Policy, and Chief of Staff to the Secretary of Defense.

Mr. Speaker, we also cannot overlook the impact of January 6, 2021 on the decision we are called upon to make.

On that day, the U.S. Capitol, was attacked and breached by angry mob of insurrectionists, comprised of an inordinate number of white supremacists and white nationalists, intent on preventing the Congress from carrying out its constitutionally imposed responsibility of counting electoral votes and announcing the election of the President and Vice-President.

This represent a dangerous escalation in the activities of what FBI Director Wray testified to Congress is the greatest domestic terror threat facing the nation.

Equally disturbing is that troubling evidence continues to emerge that the military itself has servicemembers sympathetic to extreme views and white supremacist causes.

The appointment of the first African American to lead the Department of Defense in the nation's history will send a powerful signal that racism, anti-Semitism, misogyny, homophobia, and other divisive, anti-social, and anti-American attitudes and actions have no place in the Armed Forces and will not be tolerated.

For all of these reasons, I urge all Members to join me in voting for H.R. 335, granting the waiver needed to pave the way for Secretary-designate Lloyd J. Austin III to serve as Secretary of Defense.

[From the Hill, Jan. 19, 2021]

LLOYD AUSTIN IS THE RIGHT NOMINEE FOR DEFENSE SECRETARY AND THE RIGHT LEADER FOR THIS MOMENT

(By Rep. Sheila Jackson Lee (D-TX), Opinion Contributor)

As a senior member of Congress and a senior member of the House Homeland Security Committee, I know the importance of domestic security and the defense of our nation. Retired General Austin, I believe, can bring that balance and that is why he deserves a congressional waiver to become President-elect Biden's secretary of Defense. I am going to support President-elect Joe Biden's nomination of retired General Lloyd Austin as the 28th U.S. secretary of Defense.

First, let me acknowledge that I did not support giving a waiver to General James Mattis to become the secretary of Defense nominated by President Donald J. Trump in 2017. My opposition was not because I did not have respect for General Mattis who might have warranted such a waiver, but it was rather because of the view that I had of the United States military at that time. President Barack Obama handed off to the Trump administration a military that was strong in morale and a stable organization. After all, the military under his command was able to capture our greatest enemy—Osama bin Laden. His capture was an enormous boost to the Pentagon and to the overall military rank and file. Military personnel and families were treated with dignity and their needs were responded to expeditiously. Certainly, improvement could have been made, but generally the United States military was in very good shape. On the other hand, in 2020, my concern is that throughout the last four years the military has been under attack by negative comments on generals and by a succession of secretaries of Defense. There is a great need to bring in a person who can first of all boost the morale of our men and women in uniform who sacrifice their lives on behalf of the people of this nation, and their families every day. Secondly, now we need stability and a firm hand that shows the balance between the needs of the military and guidance as a civilian leader. I believe after listening to Mr. Austin in our conversation, it is clear that his view of the role of the secretary of Defense is solidly based on the fact that the Commander in Chief is his boss and will be the guiding force on the policies and on the vision for action. This is a time for impeccable leadership to bring about a morality boost and stability to our men and women in uniform. And for that reason, I truly believe this is a distinct and different time, and that General Austin who has been a civilian for a good period of time knows the role of a civilian leader and will act accordingly. I believe more that this is the right decision at the right time.

Lloyd Austin, a retired General, is an accomplished and respected trailblazer in the United States Army. He is a trusted and crisis-tested leader who has broken barriers in his historic ascent to the highest ranks of the military. With more than 40 years of service, Retired General Lloyd Austin is a

deeply experienced and highly decorated commander who has served with distinction in several of the Pentagon's most crucial roles. He is a son of the South born in Mobile, Ala., and grew up in Thomasville, Ga. He graduated from West Point United States Military Academy and later earned degrees from Auburn University, Webster University, the Army Command and General Staff College and the Army War College.

Mr. Lloyd Austin was promoted to Lieutenant General in 2006 and assumed command of the XVIII Airborne Corps at Fort Bragg. And in 2009 he handed over his command to become the Director of the Joint Staff. He retired from the U.S. Army in 2016 as the first African American to serve as Commander of CENTCOM, the U.S. Central Command, where he oversaw America's military strategy and joint operations throughout the Middle East and in Afghanistan.

He was the chief architect of the military campaign to defeat the Islamic State in Iraq and Syria and became the second highest ranking commander in Iraq, taking command of the Multi-National Corps—Iraq.

Mr. Lloyd Austin is highly decorated with many awards and decorations including medals for Defense Distinguished Service Medals, Army Distinguished Service Medals, a Silver Star, Defense Superior Service Medals, and a Legion of Merit medal.

If confirmed, Lloyd Austin will become the first African American secretary of Defense which culminates a barrier-breaking career as the first African American general officer to command an Army Division in combat, to lead a Corps in combat, to command an entire theater of war, and to serve as Commander of U.S. Central Command.

Secretary-designate Austin has proven and demonstrated extraordinary leadership across a lifetime of distinguished service and is well prepared to lead our nation's military as a strong and dedicated civilian leader.

The nation needs a leader over the Pentagon that respects civilian control, to build up morale of our armed forces, and bring consistency, stability, and leadership at the highest level to the Department of Defense. That is Lloyd Austin, retired General. Further, as an African American woman, I believe this historic moment will further heal and unify the nation.

Secretary-designate Lloyd Austin has previously been confirmed by the Senate because of his impeccable commitment to duty and his reputation. As a proud American who loves his country just as much out of uniform as in uniform, he deserves a waiver by the Congress and deserves to be confirmed for this critical role of overseeing our military forces and protecting our great nation. Retired General Lloyd Austin is an example of why America is still that "shining city on the hill" and why he should be confirmed by the United States Senate for secretary of Defense. Retired General Lloyd Austin is the right person for this right and momentous time in our nation's history.

Mr. ROGERS of Alabama. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentleman from Nevada (Mr. HORSFORD).

Mr. HORSFORD. Mr. Speaker, I thank the chairman for yielding me the time.

Mr. Speaker, I rise today to speak in favor of granting a waiver for retired Army General Lloyd Austin and this historic nomination to serve as the 28th Secretary of Defense, the first African American in U.S. history.

For four decades, Secretary-designate Austin served our Nation valiantly in the United States Army. Before retiring, he led one of the most important commands in the military, CENTCOM, or Central Command, where he oversaw America's military strategy and joint operations throughout the Middle East.

During his service in the Middle East, he oversaw the safe return of 150,000 brave American troops, working closely with our allies as a statesman and a diplomat.

As our Commander in Chief, I support President Biden in his selection of Lloyd Austin to protect our national security, strengthen our global alliances, depoliticize the Defense Department, and be a leader and role model for our brave servicemembers.

I had the opportunity to speak directly with Secretary-designate Austin about the needs of servicemembers and their families in Nevada's Fourth District. He committed to work with me on issues important to those servicemembers and their families stationed at Nellis and Creech Air Force Bases and the Nevada Test Site, including issues dealing with housing, mental health, childcare, and education.

His leadership, his experience, and his commitment to civil control of the military will ensure our country meets its national security needs.

As our Secretary of Defense, he will also send a powerful message of belonging to all servicemembers but particularly to members of color, who represent more than 40 percent of our armed services today.

Mr. Speaker, I urge my colleagues to support this historic nomination, approve the waiver required today, and confirm Secretary-designate Austin's nomination.

Mr. ROGERS of Alabama. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SMITH of Washington. Mr. Speaker, I yield 2 minutes to the gentlewoman from the U.S. Virgin Islands (Ms. PLASKETT).

Ms. PLASKETT. Mr. Speaker, today, I rise in support of the requested waiver of the Secretary of Defense nominee, retired four-star General Lloyd S. Austin, III.

President Biden recognizes the need to have the most qualified individuals in his Cabinet to right the ship from day one. The issues of instability of our Department of Defense, morale, and a desire to engage more vigorously with the world require that a nominee be one who has the type of career that General Austin does.

General Austin's distinguished career and experience as a commander of the U.S. Central Command and Vice Chief of Staff of the U.S. Army have prepared him to be ideal for the task at hand.

We agree that the separation of Active Duty military and civilian is important. Moreover, I have full confidence, however, that the Secretary-designate shares these values, in that

he came to the House, reaching out to this body in a way that shows reverence for the continued promotion and defense of civilian control of the military.

Lastly, having an African-American Secretary of Defense is highly important at this time, as the military must address the growing evidence of sympathy towards dangerous conspiracies and White supremacist causes amongst servicemembers—evidence made exponentially troubling due to the fact that a large percentage of servicemembers are people of color.

General Lloyd Austin is the right person for the job at the time at hand, and Congress must allow him to get through and get the job done.

Mr. Speaker, I urge my colleagues to vote for the waiver for General Austin.

Mr. ROGERS of Alabama. Mr. Speaker, at this time, I am prepared to close, and I yield myself such time as I may consume.

First, I want to thank my friend and colleague Chairman SMITH, and I look forward to working with him over this 2-year cycle.

The debate we have had today is a serious one. The executive branch is asking the legislative branch to waive a law for its benefit. President Biden knew this law when he selected General Austin. He could have made another selection.

But, as I said earlier, President Trump got a waiver with General Mattis, and I believe it is only right that I supported one waiver for General Austin.

Mr. Speaker, it is critical that the President has his national security team in place as soon as possible. I look forward to working with General Austin if he is confirmed, and I urge a favorable vote.

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

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

Mr. Speaker, from this debate, it is clear that Mr. Austin is highly qualified to be Secretary of Defense. It is also clear that he has a full appreciation of the importance of civilian control of the military.

And, finally, it is clear that he is unique to this moment. His experiences as an African-American man coming up through the military puts him in a unique position to address the problems of White supremacy and a lack of diversity across the military in addition to all of the other challenges that we have heard from speakers today.

There is no question that he is qualified for this job and that he should be given the waiver so that he can serve in this position.

Mr. Speaker, I want to close by speaking to the urgency of why we need to do this today and how we got to this point.

When I first heard that Secretary Austin was going to be the selection, I will confess that I was not thrilled

about it, not because of Secretary Austin—I know him, I have worked with him, and I think he will do an outstanding job—but because I realized the responsibility that it put on this House.

By and large—not “by and large”—entirely, nominees are the business of the Senate. They confirm; the President picks. But because he picked someone who would require a waiver, we had to engage.

And I understood the urgency of getting that done, even while the Committee on Armed Services was still in the midst of dealing with the President's veto of the defense bill and trying to get the override done. But I knew the urgency. We had to find a way to get it done.

And, Mr. Speaker, I want to make perfectly clear that Mr. ROGERS has been an outstanding partner in working towards the urgency of moving this forward. The process arguments get lost in the weeds. There were a whole bunch of things we had to do to be organized as a committee, to be ready to meet the requirements that we had, and we tried our best to do it.

Now, it is my humble opinion that we met those requirements even if we didn't have a public hearing. As has been stated by many Members, right before this vote we had 2 hours with Mr. Austin over in committee, in which members, Republican and Democratic members alike, were able to ask him questions and get his answers.

And I will tell you, I feel even stronger about the need to confirm him after that conversation. Not only was he intelligent, not only was he on point, not only did he understand the issues, but he had something, frankly, not everybody in the Pentagon has: He seemed to genuinely respect us. He seemed to genuinely want to answer our questions, want to deal with us as a coequal branch of government. That is enormously important.

But the urgency is why we are here today and why we didn't wait the extra week or 10 days. Joe Biden is President. He doesn't have a Secretary of Defense. Every day that goes past that he doesn't have a Secretary of Defense is a huge problem for a variety of reasons.

Let's start with the fact that much has been made that this waiver is problematic because we did it 4 years ago and now we are doing it again; the exception has become the rule.

Well, if it makes anybody feel better, there have actually been four separate Secretaries, people in the Secretary of Defense position, in between Mattis and Austin. So it is really just, sort of, two out of six.

That many people have churned through the leadership role in the Pentagon. And while the people at the Pentagon have done an amazing job fighting through that, it is still problematic to have to have that much turnover. The disruption that President Trump brought to the Pentagon cannot be underestimated.

I will never forget being in the meeting in the White House when we were talking about the pullout from Syria when someone dared to bring up Secretary Mattis's opinion—recently departed Secretary Mattis from the Department of Defense—and President Trump just lit in to Secretary Mattis, called him weak, called him a terrible human being.

Meanwhile, sitting right next to him was the incoming Chairman of the Joint Chiefs of Staff, Mark Milley, who had worked with Jim Mattis. And this is his new boss.

Mr. Speaker, the disruption at the Pentagon has been enormous. They need a fully confirmed Secretary of Defense immediately to begin to thoroughly clean up that mess and get the Pentagon back to being as effective as it needs to be.

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Also, and I will not belabor this point at all, we have a complex threat environment, right? Let's just say that. We heard about it on the committee today, about China, Russia, Iran, the Middle East, North Korea, not to mention the domestic insurrection that we all witnessed here just a couple of weeks ago. There is an urgency to this.

If there wasn't an urgency to this, I would have waited a week and said, okay, let's take however much time. People can figure out their ratios, and pick their members, and whatever.

There is an urgency. So instead of having the public hearing, we had a very, very successful briefing.

The House this time has done its job in a way that it didn't 4 years ago when we simply took Mattis, didn't hear from him, and voted on it.

There is a minor point of whether or not we mark this up in committee. This is not a complicated bill. Either Austin gets the waiver and he serves, or he doesn't.

There is really nothing to mark up. It is a question for the House. That is why we came to the full House.

This House, with the cooperation, I may say, of Mr. ROGERS and all the Members has done its due diligence, above and beyond. We have concluded, without question, that the waiver is appropriate. Lloyd Austin will be an outstanding Secretary of Defense. He deserves this waiver, and our country deserves a fully confirmed Secretary of Defense as soon as we can possibly get that done, which, for the purposes of the House, is now.

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

Mr. CICILLINE. Mr. Speaker, I rise to express my support for H.R. 335, which would provide a waiver to allow for full Senate consideration of General Lloyd Austin's nomination as Secretary of Defense. While I have great concerns over use of this process to appoint former military leaders to senior civilian positions at the Department of Defense, and I believe that civilian control of the military is critical to our democracy, I support this waiver for General Austin for several reasons.

The first is the need for clear and effective leadership at the Pentagon. The previous administration drastically politicized the Department of Defense and hollowed out existing leadership to put in place less experienced political allies to do former President Trump's bidding. This has left our nation even more vulnerable during a number of national and international crises, including the ongoing COVID-19 pandemic, the recent cyber attack on our government systems by Russia, and rising tensions with Iran and throughout the Middle East. General Austin brings a distinguished career in military leadership, an unwavering commitment to our nation's security, and the respect of our men and women in uniform and will provide a needed steady hand at the Department of Defense.

Second, Lloyd Austin possess the skills and temperament to address the challenges our country faces. President Biden noted when discussing his selection of General Austin that he played a vital role in bringing American forces home from Iraq using diplomatic skill and an ability to work cooperatively with his Iraqi counterparts, further noting that Austin had met every challenge in his career with "extraordinary skill and profound personal decency." These qualities will be necessary as America works to regain its leadership on the world stage, rebuild alliances, and address the many challenges our country faces.

Third, General Austin understands the importance of civilian control of the military to our democracy and has expressed his commitment to this principle. Unlike the last time a waiver was sought when Secretary Mattis was prevented from testifying before Congress by President Trump and was unable to reassure American people about the importance of maintaining civilian control of the Department of Defense, General Austin did testify. During his confirmation hearing, General Austin expressed full understanding of the concerns over his appointment given he has been retired from active service for only four years. He highlighted his experience implementing civilian directives, and his understanding of the need for a different perspective as a civilian leader. I am confident that under the leadership of Lloyd Austin and President Biden, that principle will be preserved and protected.

Finally, General Austin's confirmation as Secretary of Defense would be a watershed moment as the first African American to hold that office in our nation's history. In a period where racial tensions have led to resentment among Americans, a rise in white nationalist extremism, and peaceful demonstrations in U.S. cities often turning violent, General Austin's appointment would demonstrate that America embraces the diversity of our country, and that representation in all facets of our government and national security structures matters.

Mr. FOSTER. Mr. Speaker, I rise today in support of the waiver for General Lloyd J. Austin, III to become our next Secretary of Defense. However, I want to be clear that this vote should not be seen as supporting a precedent for routine granting of waivers for future noncivilian nominees to lead the Department of Defense. We must keep the waiver requirement in place, and waivers should be reserved for the most extreme circumstances.

I strongly support civilian leadership of the military, and the waiver requirement was created to protect this important principle. That

being said, our country is facing the simultaneous threats of a global pandemic, unprecedented cyberattacks on our government, and the recent departure of a president who attempted to enlist military personnel to disrupt civilian protest. Considering these extraordinary circumstances, we need a qualified Secretary of Defense in place immediately.

Under normal circumstances, a public hearing before the House Armed Services Committee would be an important part of the waiver process. Unfortunately, because the House Armed Services Committee is not fully set up, the committee cannot hold public hearings on the waiver yet. However, unlike the Trump Administration, the Biden Administration has made General Austin readily available to Congress, and he has demonstrated that he understands the importance of civilian leadership of the Pentagon.

With these assurances, I express my support for General Austin's waiver to move forward in this confirmation process. However, I reiterate to my colleagues that this vote cannot be seen to support a precedent to grant future waivers of the cooling-off period for non-civilian Secretaries of Defense.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in strong support of H.R. 335, a bill to provide Ret. General Lloyd Austin an exception to a limitation against appointments of persons as United States Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

It is incumbent upon Congress to consider a waiver for such persons who are deemed not far enough removed from active duty to head the Department of Defense. Previous exemptions through a waiver have only been granted twice in our nation's history, most recently in 2017. However, my colleagues and I in the Congressional Black Caucus find it altogether fitting and proper that Ret. General Lloyd Austin is the recipient of the third.

Ret. General Austin is an experienced leader, a brilliant strategist, and a decorated hero. He has seen war from the frontlines as a soldier, and from afar as a commander. He is not one that seeks the spotlight or controversy, but one who quietly, but confidently gets the job done—earning him the nickname of "invisible general."

Mr. Speaker, as the first African American to hold the title of Secretary of Defense, I am confident that Ret. General Austin would carry out the mission of the Department of Defense with the utmost sense of professionalism and civility. That is why I am proud to support his waiver today and look forward to his swift confirmation in the Senate.

Ms. BONAMICI. Mr. Speaker, I rise to express my support for President Biden's nomination of the uniquely qualified General Lloyd J. Austin III (U.S. Army, Ret.) to serve as Secretary of Defense. Today, we are debating whether in the case of Gen. Austin's confirmation there should be a waiver of the requirement that former military officers be separated from active service for seven years before serving as Defense Secretary. Civilian control of the military is foundational to our democratic republic, and any action that could be perceived as affecting that principle must be carefully considered.

I do have reservations. If such an exception becomes a pattern, it may become a routine practice. Yet we find ourselves in times that

are anything but routine, and I am convinced that current circumstances warrant this waiver.

On January 6, 2021, violent insurrectionists stormed and attacked the U.S. Capitol attempting to overturn the will of the voters and impede the peaceful transfer of power to a new, democratically-elected administration. The current state of heightened security risks, the lack of cooperation by former President Trump for a successful transition, the emboldening of white supremacists and serious threat of domestic terrorism, and numerous other unprecedented challenges make it imperative that President Biden's national security team be in place as expeditiously as possible. This certainly includes a Secretary of Defense, a role that is also critical to vaccine distribution and other elements of our response to the coronavirus pandemic.

President Biden has been elected by the people to serve as our Commander in Chief, and I respect his decision to nominate General Austin, a well-respected, experienced, and barrier-breaking nominee, to meet the many challenges our nation faces.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the order of the House of today, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. SMITH of Washington. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 326, nays 78, not voting 27, as follows:

[Roll No. 18]

YEAS—326

Adams	Bustos	Davids (KS)
Aderholt	Butterfield	Davis, Danny K.
Aguilar	Carbajal	Dean
Allen	Cárdenas	DeFazio
Allred	Carl	DeGette
Amodei	Carson	DeLauro
Auchincloss	Carter (GA)	DeBene
Axne	Carter (TX)	Delgado
Bacon	Cartwright	Demings
Barragán	Case	DeSaulnier
Bass	Castor (FL)	DesJarlais
Beatty	Castro (TX)	Deutch
Bentz	Chabot	Diaz-Balart
Bera	Chu	Dingell
Beyer	Ciulline	Doggett
Bice (OK)	Clark (MA)	Donalds
Bilirakis	Clarke (NY)	Doyle, Michael
Bishop (GA)	Cleaver	F.
Bishop (NC)	Clyburn	Dunn
Blumenauer	Cohen	Escobar
Blunt Rochester	Cole	Eshoo
Bonamici	Comer	Espallat
Bost	Connolly	Evans
Bourdeaux	Cooper	Fallon
Boyle, Brendan	Correa	Feenstra
F.	Costa	Ferguson
Brooks	Courtney	Fitzgerald
Brown	Craig	Fitzpatrick
Brownley	Crenshaw	Fleischmann
Buchanan	Crist	Fletcher
Buck	Crow	Fortenberry
Bucshon	Cuellar	Foster
Burgess	Curtis	Fox

Frankel, Lois	Lieu	Sánchez
Fudge	Lofgren	Sarbanes
Fulcher	Long	Scalise
Gaetz	Lowenthal	Scanlon
Gallego	Lucas	Schakowsky
Garamendi	Luetkemeyer	Schiff
Garbarino	Luria	Schneider
Garcia (CA)	Lynch	Schrader
Garcia (IL)	Mace	Schrier
Garcia (TX)	Malliotakis	Schweikert
Jimenez	Maloney,	Scott (VA)
Gomez	Carolyn B.	Scott, Austin
Gonzales, Tony	Maloney, Sean	Scott, David
Gonzalez,	Manning	Sessions
Vicente	Mast	Sewell
Gottheimer	Matsui	Sherman
Green (TN)	McBath	Sherrill
Green, Al (TX)	McCarthy	Sires
Griffith	McCaul	Slotkin
Grijalva	McClain	Smith (NE)
Grothman	McCollum	Smith (NJ)
Guest	McEachin	Smith (WA)
Guthrie	McGovern	Smucker
Haaland	McHenry	Soto
Harder (CA)	McKinley	Spanberger
Hastings	McNerney	Speier
Herrera Beutler	Meeks	Stanton
Higgins (NY)	Meng	Steel
Himes	Meuser	Stefanik
Hinson	Mfume	Stevens
Horsford	Miller (WV)	Stivers
Houlahan	Miller-Meeks	Strickland
Hoyer	Moolenaar	Suozzi
Hudson	Mooney	Swalwell
Huffman	Moore (AL)	Takano
Huizenga	Moore (UT)	Taylor
Issa	Morelle	Thompson (CA)
Jackson	Mrvan	Thompson (MS)
Jackson Lee	Murphy (FL)	Thompson (PA)
Jacobs (CA)	Nadler	Tiffany
Jacobs (NY)	Napolitano	Timmons
Jeffries	Neal	Titus
Johnson (GA)	Neguse	Tonko
Johnson (OH)	Nehls	Torres (CA)
Johnson (TX)	Newman	Torres (NY)
Jones	Norcross	Trahan
Jordan	O'Halleran	Trone
Joyce (OH)	Obernolte	Turner
Kahele	Owens	Underwood
Kaptur	Palazzo	Upton
Katko	Pallone	Valadao
Keating	Palmer	Van Drew
Kelly (IL)	Panetta	Van Dwyne
Kelly (MS)	Pappas	Vargas
Kelly (PA)	Pascrell	Veasey
Khanna	Payne	Vela
Kildee	Perlmutter	Velázquez
Kilmer	Peters	Wagner
Kim (CA)	Pfluger	Walberg
Kim (NJ)	Phillips	Wasserman
Kinzinger	Pingree	Schultz
Kirkpatrick	Pocan	Waters
Krishnamoorthi	Price (NC)	Watson Coleman
Kuster	Quigley	Welch
Kustoff	Raskin	Westerman
LaHood	Reed	Wexton
Lamb	Rice (NY)	Wild
Langevin	Rice (SC)	Williams (GA)
Larsen (WA)	Rodgers (WA)	Williams (TX)
Larson (CT)	Rogers (AL)	Wilson (FL)
Latta	Rogers (KY)	Wilson (SC)
Lawrence	Ross	Wittman
Lawson (FL)	Roybal-Allard	Womack
Lee (CA)	Ruiz	Yarmuth
Lee (NV)	Ruppersberger	Young
Leger Fernandez	Rush	Zeldin
Levin (CA)	Ryan	
Levin (MI)	Salazar	

NAYS—78

Babin	Davidson
Baird	Emmer
Balderson	Estes
Banks	Fischbach
Bergman	Franklin, C.
Biggs	Scott
Boebert	Gallagher
Bowman	Gohmert
Budd	Golden
Burchett	Gonzalez (OH)
Bush	Good (VA)
Cammack	Gooden (TX)
Casten	Gosar
Cawthorn	Greene (GA)
Cheney	Harris
Cline	Harshbarger
Cloud	Hayes
Clyde	Herrell
Crawford	Hice (GA)

Hill
Hollingsworth
Jayapal
Johnson (LA)
Johnson (SD)
Joyce (PA)
Keller
Kind
Lamborn
LaTurner
Malinowski
Mann
Massie
McClintock
Meijer
Miller (IL)
Moore (WI)
Moulton
Mullin

Murphy (NC)
Newhouse
Ocasio-Cortez
Omar
Perry
Porter
Pressley
Reschenthaler

Rose
Rosendale
Rouzer
Smith (MO)
Spartz
Staubert
Steil
Steube

Stewart
Tlaib
Walorski
Waltz
Weber (TX)
Wenstrup

NOT VOTING—27

Armstrong	Graves (LA)	Norman
Arrington	Graves (MO)	Nunes
Barr	Hagedorn	Pence
Brady	Hartzler	Posey
Calvert	Hern	Roy
Davis, Rodney	Higgins (LA)	Rutherford
Duncan	LaMalfa	Simpson
Gibbs	Lesko	Webster (FL)
Granger	Loudermilk	Wright

□ 1607

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

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. LESKO. Mr. Speaker, had I been present, I would have voted “yea” on rollcall No. 18.

Ms. GRANGER. Mr. Speaker, I missed votes due to circumstances beyond my control. Had I been present, I would have voted “yea” on rollcall No. 18.

Stated against:

Mr. HAGEDORN. Mr. Speaker, had I been present for the vote on final passage of H.R. 335, I would have voted “nay.”

Mr. ROY. Mr. Speaker, out of an abundance of caution, I decided to remain home due to several days of persistent symptoms. I could not get on a plane to vote on H.R. 335. Had I been present, I would have voted “nay” on rollcall No. 18.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Amodei (Kelly (PA))	Higgins (NY) (Sánchez)	Payne (Wasserman Schultz)
Baird (Bucshon)	Jackson Lee (Butterfield)	Perlmutter (Neguse)
Blumenauer (Beyer)	Johnson (TX) (Jeffries)	Pingree (Kuster)
Bowman (Clark (MA))	Kind (Beyer)	Pocan (Raskin)
Buchanan (Cammack)	Kinzinger (Herrera)	Porter (Wexton)
Cárdenas (Gallego)	Beutler	Pressley (García (IL))
Carter (TX) (Nehls)	Kirkpatrick (Gallego)	Price (NC) (Butterfield)
Cooper (Himes)	Krishnamoorthi (Brown)	Rogers (KY) (Fleischmann)
Correa (Carbajal)	Kustoff (Fleischmann)	Roybal-Allard (Cuellar)
Davis, Danny K. (Underwood)	Larson (CT) (Courtney)	Ruiz (Aguilar)
DeFazio (Davids (KS))	Lawson (FL) (Evans)	Rush (Underwood)
DeSaulnier (Matsui)	Leger Fernandez (Jacobs (CA))	Schneider (Sherrill)
DesJarlais (Fleischmann)	Lieu (Beyer)	Schrier (Spanberger)
Doyle, Michael F. (Cartwright)	Lofgren (Jeffries)	Steel (Kim (CA))
Dunn (Bilirakis)	Lowenthal (Beyer)	Stefanik (Katko)
Espallat (Jeffries)	Luetkemeyer (Kelly (PA))	Thompson (MS) (Butterfield)
Fortenberry	McHenry (Banks)	Timmons (Katko)
(Bilirakis)	Meng (Clark (MA))	Tlaib (Kildee)
Frankel, Lois (Clark (MA))	Moore (WI) (Beyer)	Tonko (Pallone)
Gaetz (Cammack)	Nadler (Jeffries)	Vela (Gomez)
Gosar	Napolitano (Torres (CA))	Wagner (Walberg)
(Schweikert)	Neal (Lynch)	Walorski (Banks)
Gottheimer	Ocasio-Cortez	Waltz (Donalds)
(Panetta)	(García (IL))	Watson Coleman (Pallone)
Hastings	Pascrell	Wilson (FL)
(Wasserman Schultz)	(Pallone)	(Hayes)

ADJOURNMENT

The SPEAKER pro tempore (Mr. BUTTERFIELD). Pursuant to section 5(a)(1)(B) of House Resolution 8, the House stands adjourned until 1:30 p.m. on Monday, January 25, 2021.

Thereupon (at 4 o'clock and 10 minutes p.m.), under its previous order, the House adjourned until Monday, January 25, 2021, at 1:30 p.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC-6. A letter from the President, transmitting a notification that the National Emergency concerning the southern border of the United States, originally declared on February 15, 2019, by Proclamation 9844, is to continue in effect beyond February 15, 2021, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 117—10); to the Committee on Armed Services and ordered to be printed.

EC-7. A letter from the Assistant Secretary of Defense, Homeland Defense and Americas' Security Affairs, Department of Defense, transmitting the Department's consolidated budget justification display of the combating terrorism program, pursuant to 10 U.S.C. 229(a); Added by Public Law 106-65, div. A, title IX, Sec. 932(b)(1), Oct. 5, 1999; (133 Stat. 727); to the Committee on Armed Services.

EC-8. A letter from the President, transmitting the Economic Report of the President together with the Annual Report of the Council of Economic Advisers, pursuant to 15 U.S.C. 1022(a); February 20, 1946, ch. 33, Sec. 3(a) (as amended by Public Law 101-508; 13112(e)); (104 Stat. 1388-609) (H. Doc. No. 117—2); to the Committee on Energy and Commerce and ordered to be printed.

EC-9. A letter from the President, transmitting additional steps to address the national emergency with respect to significant malicious cyber-enabled activities as declared in Executive Order 13694 of April 1, 2015, pursuant to 50 U.S.C. 1703(b); Public Law 95-223, Sec. 204(b); (91 Stat. 1627) and 50 U.S.C. 1641(b); Public Law 94-412, Sec. 401(b); (90 Stat. 1257) (H. Doc. No. 117—11); to the Committee on Foreign Affairs and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CURTIS (for himself, Mr. BERA, and Mr. VAN DREW):

H.R. 373. A bill to treat certain face coverings and disinfectants as medical expenses for purposes of certain Federal tax benefits; to the Committee on Ways and Means.

By Mrs. BOEBERT (for herself, Mr. HICE of Georgia, Mr. BUDD, Mr. NORMAN, Mr. CAWTHORN, Mr. BIGGS, Mr. GAETZ, and Mr. ROUZER):

H.R. 374. A bill to prohibit the availability of United States contributions to the World Health Organization until Congress receives a full report on China and the COVID-19 pandemic, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. BOEBERT:

H.R. 375. A bill to provide that no person may be required to wear a face covering on

Federal property or while traveling in interstate commerce, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. BOEBERT (for herself, Mr. BIGGS, Mr. BROOKS, Mr. GOOD of Virginia, Mr. BUDD, Mr. MOONEY, Ms. HERRELL, Mrs. MILLER of Illinois, Mr. PFLUGER, Mr. CLINE, Mr. WEBER of Texas, and Mr. LAMALFA):

H.R. 376. A bill to require the advice and consent to ratification of the Paris Agreement by the United States Senate before any action may be taken to carry out the goals of the Paris Agreement, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ARRINGTON (for himself, Mr. BABIN, Mr. ESTES, and Mr. BANKS):

H.R. 377. A bill to amend title 18, United States Code, to increase certain penalties for assaulting, resisting, or impeding certain officers or employees, and for other purposes; to the Committee on the Judiciary.

By Mr. ARRINGTON (for himself, Mr. BABIN, Mr. ESTES, and Mr. BANKS):

H.R. 378. A bill to amend title 18, United States Code, to increase the maximum term of imprisonment for rioting, and for other purposes; to the Committee on the Judiciary.

By Ms. BARRAGÁN (for herself, Mr. BUTTERFIELD, Mr. CÁRDENAS, Ms. CLARKE of New York, Ms. BLUNT ROCHESTER, Mr. RUSH, Ms. KELLY of Illinois, Mr. WELCH, Mr. KHANNA, Mr. DEUTCH, Ms. UNDERWOOD, Mr. HIGGINS of New York, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Mr. COHEN, Ms. MOORE of Wisconsin, Ms. LEE of California, Mr. HASTINGS, Mr. CARSON, Ms. NORTON, Mr. RASKIN, Ms. SPANBERGER, Ms. JACKSON LEE, Mr. MORELLE, Mr. SABLÁN, Ms. SÁNCHEZ, Mr. GARCÍA of Illinois, Mr. KILDEE, Mr. LEVIN of California, Ms. PORTER, and Ms. GARCIA of Texas):

H.R. 379. A bill to authorize the Director of the Centers for Disease Control and Prevention to carry out a Social Determinants of Health Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BIGGS (for himself, Mr. DUNCAN, Mr. NORMAN, Mr. GAETZ, Mr. MOONEY, Mr. BUDD, Mr. KELLY of Pennsylvania, Mr. GIBBS, Mr. ROUZER, Mr. ALLEN, Mr. ROY, Mr. GOODEN of Texas, Mr. GOOD of Virginia, Mr. BABIN, Mr. CAWTHORN, Mr. LAMBORN, Mr. MOORE of Alabama, Mr. MULLIN, Mr. JOHNSON of Ohio, Mr. ROSENDALE, Mr. BANKS, Mr. KELLER, Mr. STEUBE, and Mr. JACKSON):

H.R. 380. A bill to amend the Internal Revenue Code of 1986 to provide that amounts paid for an abortion are not taken into account for purposes of the deduction for medical expenses; to the Committee on Ways and Means.

By Mr. BIGGS (for himself, Mr. DUNCAN, Mr. NORMAN, Mr. GAETZ, Mr. MOONEY, Mr. BUDD, Mr. GIBBS, Mr. ROUZER, Mr. ALLEN, Mr. ROY, Mr. GOODEN of Texas, Mrs. HINSON, Mr. GOOD of Virginia, Mr. CAWTHORN, Mr. MOORE of Alabama, Mr. MULLIN, Mr. JOHNSON of Ohio, Mr. ALLEN, Mr. KELLER, and Mr. STEUBE):

H.R. 381. A bill to amend title 18, United States Code, to prohibit certain abortion procedures, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER (for himself, Mr. BUCHANAN, and Ms. PRESSLEY):

H.R. 382. A bill to amend titles 23 and 49, United States Code, with respect to

bikeshare projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BLUMENAUER (for himself and Mr. LOWENTHAL):

H.R. 383. A bill to include certain eligibility requirements in the surface transportation system funding alternatives program, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BLUMENAUER (for himself, Mr. BUCHANAN, and Ms. PRESSLEY):

H.R. 384. A bill to amend the Internal Revenue Code of 1986 to modify employer-provided fringe benefits for bicycle commuting; to the Committee on Ways and Means.

By Mr. BLUMENAUER (for himself and Ms. BONAMICI):

H.R. 385. A bill to direct the Secretary of Transportation to make grants for the operation of a clearinghouse to collect, conduct, and fund research on the influences of highly automated vehicles on land use, urban design, transportation, real estate, and municipal budgets, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROWN (for himself, Mr. HUFFMAN, Ms. TITUS, Ms. BROWNLEY, Mr. ESPAILLAT, Mr. CARSON, and Mr. COHEN):

H.R. 386. A bill to amend title 23, United States Code, with respect to funding for certain safety projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BUDD (for himself and Mr. GARCIA of California):

H.R. 387. A bill to prevent doses of vaccines for COVID-19 from being wasted, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CASE (for himself and Mr. KAHELE):

H.R. 388. A bill to amend the Farm Security and Rural Investment Act of 2002 by requiring preclearance quarantine inspections for all movement to or from the State of Hawaii by either domestic or international travel, and for other purposes; to the Committee on Agriculture.

By Mr. CASE (for himself, Mr. SIRE, Mr. NEGUSE, Mr. SHERMAN, Mr. NADLER, and Ms. NORTON):

H.R. 389. A bill to impose safety requirements on commercial air tour flights, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COHEN (for himself, Mr. COOPER, Mr. BURCHETT, Mr. FLEISCHMANN, Mr. KUSTOFF, Mr. ROSE, Mr. GREEN of Tennessee, Mrs. HARSHBARGER, and Mr. DESJARLAIS):

H.R. 390. A bill to redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee as the "Odell Horton Federal Building"; to the Committee on Transportation and Infrastructure.

By Mr. CONNOLLY (for himself, Mr. CHABOT, Mrs. WAGNER, Mr. BERA, Mr. FITZPATRICK, Mr. LARSEN of Washington, Ms. BASS, Mrs. BEATTY, Mr. BEYER, Ms. BLUNT ROCHESTER, Ms. BROWNLEY, Mr. CARTWRIGHT, Mr. CASE, Mr. CASTEN, Mr. CICILLINE, Mr. CLEAVER, Mr. COLE, Mr. COOPER, Mr. COSTA, Ms. DEAN, Mr. DEFazio, Mr. DEUTCH, Mr. ESPAILLAT, Ms. LOIS FRANKEL of Florida, Mr. VICENTE GONZALEZ of Texas, Mr. HASTINGS, Mrs. HAYES, Ms. HOULAHAN, Ms. JACKSON LEE, Mr. KEATING, Mr. KHANNA, Mr. KILMER, Mr. LANGEVIN,