

Don was involved with so many organizations and schools and church organizations, but he was also a very dedicated husband to his wife, Mary Theresa Higgins, and a dedicated father of four and grandfather of 12.

Nine people in Don's family are attorneys. They were all sworn in on the very same day by the U.S. Supreme Court, which made the front page news in our little town. Don was very proud of this.

Don was a man who devoted his life to service, to happiness, and he couldn't have been a kinder person to me and a better friend and mentor for me as an attorney when I first started out many years ago.

I can't express enough my deepest condolences to his family, his friends, and our community. This is truly the loss of a great man. I wish them all the best, and it was an honor to call Don Snyder my friend.

#### RECOGNIZING THE ASSISTANCE TO FIREFIGHTERS GRANTS PROGRAM ON ITS 20TH ANNIVERSARY

(Mr. MCHENRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCHENRY. Mr. Speaker, it is often said that there are inefficiencies and waste in the Federal Government. Well, I am here to recognize the most efficient grant writing program in the Federal Government: The Assistance to Firefighters Grant Program, marking its 20th anniversary.

The AFG program, along with its sister programs SAFER and Fire Prevention Grants, help deliver training, manpower, and desperately needed equipment straight to where they are most needed. Communities across America have benefited from these programs over the past 20 years; all of this with hardly any overhead costs.

It is a well-run program. Why? Well, because it is largely run by the fire service.

Throughout my time in Congress, it has been a true honor to have visited well over 100 fire departments in my district. These are some of my favorite visits. And you see the best of America in these everyday heroes.

On a final note, I thank Chief Jeff Cash, Jason Wofford, and Ryan Cole for teaching my AFG grant classes throughout the years.

I would encourage my colleagues to do likewise to ensure their fire services are well taken care of with the best training and equipment they deserve.

Thank you to the AFG program and to the fire service.

#### 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, October 21, 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 October 21, 2021, at 11:36 a.m.:

That the Senate passed S. 2899.

With best wishes, I am,

Sincerely,

CHERYL L. JOHNSON,  
Clerk.

#### RELATING TO THE CONSIDERATION OF HOUSE REPORT 117-152 AND AN ACCOMPANYING RESOLUTION

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 727 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 727

*Resolved*, That if House Report 117-152 is called up by direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol: (a) all points of order against the report are waived and the report shall be considered as read; and (b)(1) an accompanying resolution offered by direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol shall be considered as read and shall not be subject to a point of order; and (2) the previous question shall be considered as ordered on such resolution to adoption without intervening motion or demand for division of the question except one hour of debate equally divided among and controlled by Representative Thompson of Mississippi, Representative Cheney of Wyoming, and an opponent, or their respective designees.

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

Mr. MCGOVERN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Minnesota (Mrs. FISCHBACH), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

#### GENERAL LEAVE

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, yesterday the Rules Committee met and reported a rule, House Resolution 727. The rule provides for consideration of the resolution accompanying House Report 117-152 under a closed rule if the report is called up by direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol. It provides 1 hour of de-

bate equally divided among and controlled by Chair THOMPSON, Vice Chair CHENEY, and an opponent.

Mr. Speaker, today, we face a fundamental choice: Whether we are going to get to the truth about the violent January 6 attack, the worst assault on the Capitol since the War of 1812 and the worst domestic assault on American democracy since the Civil War, or whether we are going to allow lawful subpoenas to be ignored and the investigation being conducted by the select committee to be obstructed to puff up the ego of the former President, who has launched another frivolous lawsuit, this time against the select committee.

I have to tell you, Mr. Speaker, I still remember January 6 like it was yesterday. I was standing right where you are now, Mr. Speaker. Our democracy was in peril; the lives of Members of Congress, our staffs, and all the workers here were endangered. And Capitol Police officers were beaten or worse.

Getting to the truth of what happened or placating the ego of a former President, that shouldn't be a tough call. In any ordinary time, it wouldn't be. This measure would probably have passed on suspension.

Because as a Member of Congress, we have fewer more important and solemn duties than what is at the heart of the measure before us today, and that is protecting our democracy and preventing future attempts to overturn the results of an election.

This is about country, not about party.

Now, many witnesses are already doing their patriotic duty and cooperating voluntarily with the select committee.

In fact, 10 of the 11 witnesses required to produce records to the select committee by the required deadline are engaging with the committee.

Only one person, Mr. Speaker, is refusing. One. Stephen K. Bannon.

Instead of doing the right thing, the legal thing, the patriotic thing, Mr. Bannon is hiding behind the former President's false claims of executive privilege to try to run out the clock on this investigation.

Now, maybe he has something to hide. I don't know. But the law isn't on his side. It is not on Donald Trump's side either.

Executive privilege is not absolute, and President Biden has declined to invoke that privilege.

There is a long history of the White House making accommodations to investigative requests from Congress. That is especially true when the public interest outweighs other interests, as it does here.

But apparently facts and the law don't matter to some. Apparently, Steve Bannon thinks he is above the law. Maybe it is because he was pardoned by the former occupant of the White House.

But ultimately, in the United States of America, no one should be above the law.

That shouldn't be a controversial idea. But we live in an age where apparently some put fidelity to Donald Trump over fidelity to the Constitution. And I find that disgusting.

I get it. The former President is in Mar-a-Lago somewhere seething about our efforts to get to the truth about January 6.

But is he so feared, Mr. Speaker, that my Republican colleagues are going to keep denying what happened that day? And keep trying to sweep it under the rug as if it never happened? Oh, it was no big deal.

This is our democracy that we are talking about here. This is about the oath we took and the freedoms we cherish, freedoms that Americans have fought and died for, Mr. Speaker.

And some on the other side, are they really willing to throw away all of that to placate the whims of one man? Really?

This has to stop.

The legal scholar James Landis once said: "To deny Congress power to acquaint itself with facts is equivalent to requiring it to prescribe remedies in darkness."

We need to see the facts in the cold light of day and follow them wherever they lead.

That means not only holding those who attack this building itself accountable, as the legal system is currently doing, it also means holding people accountable when they attack what this building stands for: Democracy and rule of law.

□ 1230

We will not tolerate being left in the dark, and certainly not when something so fundamental is at stake.

Now, this doesn't have to be a partisan fight. And just yesterday in the Committee on Rules, we debated the underlying measure at length. And, yes, we heard from the usual Members who rushed to the former President's defense, who deflected and wanted to talk about anything other than the events of January 6. But we also saw something more remarkable.

Chairman THOMPSON, a Democrat, sat side-by-side with Vice Chair CHENEY, a Republican, two people who probably have never voted for the same Presidential candidates in their lives; two people who disagree on virtually every issue. But they agreed on this: On defending the Constitution and rule of law. Let's follow their example.

Mr. Speaker, I sat across the dais from Congresswoman CHENEY for years on the Committee on Rules when the Republicans were in charge. We were polar opposites. But yesterday, I couldn't have agreed with her more, not as a Democrat but as an American.

Now I don't give a damn if you are a Democrat or a Republican, and I don't care if you like Donald Trump or not. Matters like this are about something more than petty partisanship.

So I urge my colleagues, let's put our country before our party. Let's put de-

fending our democracy before defending Donald Trump. Let's support this rule and the underlying measure, not as Democrats or Republicans, but as public servants, as Members of Congress dedicated to preserving American democracy and the rule of law. That is what is at stake here and nothing less.

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

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

I thank the gentleman from Massachusetts (Mr. MCGOVERN) for yielding me the customary 30 minutes.

Mr. Speaker, it is hard to ignore the feeling that this is one more example of my colleagues on the other side of the aisle trying to distract from the real issues that concern Americans. We have an administration that can't stop the flood of illegal immigrants at our southern border, can't unlock the supply bottlenecks at our ports.

What are the Democrats doing about inflation?

What are the Democrats doing about the border issues?

What are the Democrats doing about supply chain issues?

And what are the Democrats doing about the worker shortage?

And I could go on. Instead, we are here going back and forth arguing if we should continue down a path of yet another partisan investigation of questionable motives and purpose. No wonder the public thinks we can't do our job.

That said, there are several questions that need to be resolved before we can continue with this vote. The Supreme Court has found that the power rests with Congress for subpoenas if they serve a legitimate legislative purpose, and be "related to, and in furtherance of, a legitimate task of the Congress."

A legitimate legislative purpose would be issuing subpoenas to the leaders of the D.C. National Guard and Sergeant at Arms so that we can find out what gaps in communications and authorities that need to be filled and find solutions to ensure that this doesn't happen again. But have those been issued? No.

Instead, House Democrats are continuing their witch hunt into President Trump and their political opponents that voted against the certification of the election in some States, something that they, themselves, did just 4 years ago.

What information is intended to be gathered that would be useful for a legitimate legislative purpose? Much of the discussion in the Rules Committee centered around criminal action, not around legislation. These concerns would have been raised by Republicans if Speaker PELOSI had not rejected the minority leader's nominees. But instead, she hand-picked Members that would fit her and the Democrats' narrative.

It seems the story line has already been decided. We need to ensure that it

is, as stated, intended to investigate and report upon the facts, circumstances, and causes relating to January 6. Unfortunately, Speaker PELOSI and the Democrats made it clear early on that this committee and its investigation outcome was predetermined when it tilted representation in favor of Democrats and, again, rejected the two Republican Members selected to serve on the Commission by the minority leader.

Mr. Speaker, I am deeply concerned about the precedent being set here today as the majority, yet again, embarks on another investigation in search of a crime.

Mr. Speaker, I urge my colleagues to oppose the rule and the underlying resolution, and I reserve the balance of my time.

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

Mr. Speaker, my good friend from Minnesota said we wouldn't be in this position if we had done what the Republicans had asked us to do. We did.

And I include in the RECORD the letter that the minority leader, KEVIN MCCARTHY, sent to Speaker PELOSI requesting a number of items.

HOUSE OF REPRESENTATIVES,  
Washington, DC, February 22, 2021.

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

DEAR SPEAKER PELOSI: We are in agreement that the best path forward for bipartisan legislation is to create an impartial and bipartisan Commission.

In keeping with the suggestions from the Co-Chairs of the 9/11 Commission, the legislation the House puts forward should mirror the precedents that fairly and successfully governed that Commission. Simply put, House Republicans are asking for no more and no less than what Congress came together and agreed upon in the past. Specifically, those precedents include:

An equal 5-5 ratio in appointments by Democrats and Republicans

Co-Equal Subpoena Power for the Chair and Vice Chair of the Commission

No inclusion of findings or other predetermined conclusions which ultimately should be rendered by the Commission itself

As the Co-Chairs of the Commission stated, a "bipartisan independent investigation will earn credibility with the American public." I am confident that following their procedures and precedents can do just that, in a way that an overtly partisan commission will not be able to.

Thank you and I look forward to hearing your response.

Sincerely,

KEVIN MCCARTHY,  
House Republican Leader.

Mr. MCGOVERN. Mr. Speaker, those items include: an equal 5:5 ratio on a committee; coequal subpoena power; no inclusion of findings of other predetermined conclusions which ultimately should be rendered by the Commission itself.

Mr. Speaker, the Committee on Homeland Security agreed to every one of them—every single one of them. And what did the Republicans do? They said, Well, we didn't think you would agree to everything, but we still don't want the Commission. So they voted

against it. And then they blocked it in the United States Senate.

So don't talk to me about partisanship or bipartisanship when it was very clear early on that my friends on the other side had no intention of wanting to work with us to get to the truth, because they couldn't take yes for an answer.

Mr. Speaker, let me also point out that today, President Trump issued a statement—he had to issue a statement because he can't tweet anymore because of mistruths and embrace of violence. Anyway, he issued a statement today. This is what he said:

The statement says, "The insurrection took place on November 3, election day. January 6 was the protest!"

Let me just say that one more time.

Trump said today in a statement, "The insurrection took place on November 3, election day. January 6 was a protest!"

And by the way, he didn't mention that it was a violent protest on January 6.

Mr. Speaker, are any of my Republican colleagues, aside from Congresswoman CHENEY and Representative KINZINGER, who have shown courage and patriotism, are any of them willing to come to the floor and say unequivocally that the election on November 3 was not an insurrection, as the former President has now said?

It was a free and fair election held by one of the oldest democracies in the world. And that used to mean something to my Republican friends. Please, please. The former occupant of the White House is trying to tear this country apart. And unfortunately, too many on the other side are going along with him. Enough.

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

Mrs. FISCHBACH. Mr. Speaker, with all respect to my colleague from Massachusetts, the fact still remains that when the minority leader did try to participate in this Commission, the Speaker rejected the two nominees that the minority leader had offered.

Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. RESCHENTHALER).

Mr. RESCHENTHALER. Mr. Speaker, I thank my good friend and fellow Rules Committee member, Representative FISCHBACH, for allowing me the time.

Mr. Speaker, I really believe that the issue before us today comes down to a very simple question, and that is, what is the legislative purpose of the Select Committee subpoena on a private citizen. This is a very narrow legal issue.

And what the courts have held is that Congress has the power to secure information "in order to legislate." So in other words, Congress's subpoena authority is valid only if it relates to the furtherance of a legitimate task of Congress.

Now, according to the Select Committee's own press release, the committee is attempting to tell a story and

to find out what happened that day. But the courts have already determined that that is not a valid legislative purpose.

In the 1957 decision, *Watkins v. The United States*, the Court held that Congress has "no general authority to expose the private affairs of individuals without justification in terms of the functions of Congress." Additionally, the quote went on in that case to say Congress cannot investigate private citizens for "the sake of exposure."

So then what is the legislative purpose before us today? What is the legislative purpose of a subpoena on a private citizen, including 11 individuals who merely filed and were granted permits to exercise their First Amendment rights to assemble and to petition the government? This cannot be perceived as an investigation and still fit within the framework of case law.

Again, let's be clear, the law is crystal clear here. If Congress does not have a legitimate legislative function, they simply cannot subpoena a private individual.

Now, the Constitution gives those powers to the executive and the judiciary branch. They don't give that power to Congress. So I can, therefore, only conclude that the purpose of the resolution before us today is to fulfill a partisan agenda.

If the Select Committee was actually serious about conducting a legitimate oversight, they would subpoena the former House Sergeant at Arms and the former head of the D.C. National Guard. That would be an investigation within the clear purpose of Congress and within the delegated power that we have in the Constitution.

Instead, we are here voting on a resolution with absolutely no legislative purpose. We are also setting a dangerous precedent that will have a chilling effect on the rights of private citizens in the future.

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

Mr. Speaker, I was hoping that someone on the other side would respond to former President Trump's statement today, which I find stunning and shocking, but apparently they don't want to talk about that. They want to talk about legislative purpose. When we get to the bill, I will let the committee members respond to that.

I do want to say one thing again; that Speaker PELOSI was committed to a truly bipartisan commission, and we did a bipartisan commission—a truly bipartisan commission. My friends on the other side of the aisle tried to undercut it and get their friends over in the Senate to tank it. That is what happened. They basically destroyed what could have been a bipartisan commission that, quite frankly, was the way we all wanted to go.

But then they said, well, she wouldn't let us put who we wanted on this current commission. Well, the minority leader suggested Mr. JORDAN to be the lead Republican, and he very

well may be a material witness in this investigation. You would put him on to oversee an investigation of, what, himself and others?

Give me a break. What is going on here? At least be honest enough with the American people to say what is going on here; and that is, you don't want to get to the truth about what happened on January 6. You never did; notwithstanding the violence that occurred right here in this Chamber, in this sacred building.

So, please, let's not get into this, Oh, we wanted to cooperate but somehow you wouldn't let us. We gave you everything you wanted, and you could not take yes for an answer.

Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I rise for truth and accountability. That is why we are here. We are dealing with common criminals. You see a guy running down the street in this city with a television on his back strapped to it, you start to wonder. We have had enough of those incidents to indicate to us that is what we are dealing with.

The gravest attack ever on the U.S. democracy came 288 days ago. It was born of lies. Steve Bannon spread those poisonous lies, and Bannon was guided by the dictator. We must pursue the truth. We go only where the facts take us. Refusing a subpoena is obstructing justice. We don't allow the plaintiff to prosecute or to decide. We decide it through the courts. If you can't take the Constitution, go to Russia. It shows you have something to hide. What are you hiding?

This is a vote of conscience.

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

The time of the gentleman has expired.

Mr. MCGOVERN. Mr. Speaker, I yield an additional 15 seconds to the gentleman.

Mr. PASCRELL. Mr. Speaker, refusing a subpoena is obstructing justice. This is a vote of conscience.

Do you agree with the rioting terrorists or our democracy? Are we a country of laws or a country of men?

We must hold all involved accountable; this includes those who attacked the police and those organizers who spread the lies, and the President who organized it.

This is America, not Russia.

□ 1245

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

Mr. Speaker, if we defeat the previous question, Republicans will offer an amendment to the rule to provide for the additional consideration of H.R. 5586, the Prohibiting IRS Financial Surveillance Act, authored by Representative FERGUSON.

Mr. Speaker, I ask unanimous consent to include the text of the amendment in the RECORD, along with the extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Minnesota?

There was no objection.

Mrs. FISCHBACH. Mr. Speaker, requiring banks and Federal credit unions to disclose personal details about their customers' accounts is an extreme invasion of privacy, and it would have terrible implications for community banks and credit unions in my district and across the country.

I suppose I really shouldn't be surprised about this egregious attempt on behalf of the Democrats. They clearly want as much government involvement as possible in every possible part of American citizens' lives. I may not be surprised anymore, but I continue to be disappointed that they refuse to listen to the American citizens who time and time again say they want Big Government out of their lives and their wallets.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. FERGUSON).

Mr. FERGUSON. Mr. Speaker, I rise in opposition to the previous question. There is absolutely no denying that the Democrats want to control every part of your life by allowing the IRS to snoop into your bank accounts.

This is wrong. And for what? It is really truly all about control. This unlawful surveillance is their latest gambit.

The Democrats' snooping scheme would include hiring 87,000 new IRS agents at a cost of almost \$80 billion. That is almost enough IRS agents to fill up Sanford Stadium at the University of Georgia for a Saturday football game. Now, I will take a college football stadium full of SEC fans cheering on the Dawgs, but not one full of IRS agents.

The proposal that the Democrats have put out claims to only go after wealthy tax cheats, but at its core, this is going to target every single farmer, every single family, every single gig worker, every single small business owner, and just about anyone who pays rent or pays a mortgage.

Their bogus attempts to scale it back are meaningless. At any number, this is wrong. Think about how long it would take, paying \$200 a month out of your bank account, or \$200 a week out of your bank account, to get to the \$10,000 number that they have proposed.

Mr. Speaker, simply put, the Democrats' IRS surveillance plan is flat out wrong. It is an outright violation of the Fourth Amendment of every American. Government has no business sifting through our personal information. This is a foundational principle that this country was built on.

I will say it again. Whether the amount is \$1, \$600, \$10,000, or \$1 million,

giving the IRS this kind of unfettered and unchecked power is wrong. The threshold is irrelevant. Americans know that this is wrong. We know it is wrong, and our colleagues on the other side of the aisle know that it is wrong.

Our colleagues on the other side of the aisle are so desperate to find revenue to fund their Big Government socialist programs that they are willing to violate the constitutional rights of our fellow Americans. This is wrong. It is egregious on every front. Once again, we know it; they know it; the American people know it; and that is why we are pushing back.

Mr. Speaker, I urge my colleagues to defeat the previous question so that we can restore some reason and sanity and put an end to this absurd proposal for the IRS to snoop on Americans' bank accounts.

Defeat the previous question so we can vote to prohibit IRS financial surveillance of Americans' bank accounts.

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

Mr. Speaker, I am not going to waste my time debating this information. What my friend is talking about is a false government takeover. What about the people who tried to take over our democracy on January 6? What about what happened here on January 6?

Why is there no interest in getting to the truth? They come with this instead. Again, I am still waiting for somebody to respond to President Trump's statement that insurrection day took place on November 3. Do you really believe that? Is that what we have come to, that my friends on the other side would embrace such a shocking and such an offensive statement?

We had a free and fair election, and this is what the former President—who my friends are all so afraid of—says.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. SCANLON), a distinguished member of the Rules Committee.

Ms. SCANLON. Mr. Speaker, I rise in strong support of this rule and the underlying resolution.

Mr. Speaker, there are moments in our country's history when we are presented with stark choices, choices between right and wrong. And the violence of January 6 has made it clear that we are at such a moment. January 6 was a shocking assault on our government.

On the orders of the former President, thousands of rioters destroyed public property, gravely injured police officers, terrorized lawmakers, and invaded the Capitol to halt the certification of the electoral college required by the Constitution. That day cannot be minimized or swept under the carpet because the forces that inspired that attack are still stoking the fires of chaos and conspiracy.

Congress has tasked a bipartisan select committee with investigating the January 6 attack, and that committee has outlined why it needs Steve Bannon's testimony to fully under-

stand the events leading up to that attack.

However, when subpoenaed to testify, Mr. Bannon told the select committee to pound sand. Mr. Bannon is a private citizen; he is not above the law and cannot refuse to obey a subpoena any more than you or I or any American can. Neither Mr. Bannon nor the former President has made any credible legal arguments to shield his testimony.

Patriotism demands that anyone with knowledge of that dark day come forward, and the rule of law and our Constitution demand that everyone in this Congress support this investigation.

I am incredibly disappointed that Republican leadership and so many of their colleagues continue to oppose any attempt to investigate the January 6 attack. They opposed legislation to create a bipartisan commission. They opposed the creation of the select committee. And they are now trying to prevent the committee from carrying out its work.

This is not a time for games or delays, all of which have allowed the former President and his allies, like Mr. Bannon, to escape accountability thus far. This is a time for courage, the courage to protect our Constitution and our national integrity.

I am grateful to the members of the select committee for having the courage to put loyalty to country over partisan politics.

Mr. Speaker, I strongly urge all of my colleagues to support this rule.

Mrs. FISCHBACH. Mr. Speaker, I yield 3 minutes to the gentlewoman from Iowa (Mrs. HINSON).

Mrs. HINSON. Mr. Speaker, I thank the gentlewoman from Minnesota for yielding to me today.

Mr. Speaker, President Biden and Speaker PELOSI are moving full steam ahead with their Big Government, big spending vision for this country. One of the most egregious proposals in their multitrillion-dollar reconciliation package would give the IRS access to nearly every single American's bank account by requiring financial institutions, like your local bank or your credit union, to report every account with more than \$10,000 of transactions annually to the IRS.

This proposal would give the IRS unprecedented access to sensitive personal information and unprecedented power to target working families across Iowa and across America. This government snooping is a complete invasion of privacy and a massive overreach into our lives and our livelihoods.

This spying scheme is a lose, lose, lose. It will increase the existing backlog at the IRS exponentially. It will jeopardize the privacy of millions of Americans. It will destroy our community financial institutions. And it will hurt rural communities and working families hardest of all.

Democrats claim this is about tax evasion. Everyone should pay the taxes

that they owe. That is not the argument here. But this misguided proposal isn't about tracking down missing revenue; it is about expanded government control, plain and simple.

This proposal, by design, will hit normal working families' bank accounts. A total of \$10,000 in transactions in a year, that is a year's rent or a series of farm equipment bills, for example. The IRS should be focused on being more efficient at its current job, not emboldened and certainly not unleashed on hardworking Americans.

We do not need to be throwing more money at the IRS to put Americans' daily transactions under a microscope. Iowans have been very clear with me. They do not want the IRS snooping around in their bank accounts at that granular level.

I have also heard very serious concerns from our community financial institutions. These are the folks that are helping our farmers, our families, and our small businesses access credit. They told me this proposal could force them to shut down for good, leaving Iowans without access to credit and capital that they need to help keep our rural economy going to fuel and feed the world.

Mr. Speaker, I urge my colleagues to put a stop to this madness and stand up for our constituents by voting "no" on the previous question, keeping the government out of Americans' bank accounts.

Mr. MCGOVERN. Mr. Speaker, let me just remind everybody that democracy doesn't defend itself; people have to defend democracy. It would be nice to see a little courage on the other side of the aisle.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. JEFFRIES), the chairman of the Democratic Caucus.

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentleman and chair of the Rules Committee for yielding and for his leadership.

Mr. Speaker, the House is a separate and coequal branch of government. We are the institution that is closest to the people. The House has a sacred obligation under the Constitution to defend our democracy, and we should be doing that in a bipartisan way, but something has happened to the modern-day Republican Party.

The party of Abraham Lincoln is gone. The party of Ronald Reagan is gone. The party of John McCain is gone. A cult of personality has risen up to take its place.

Is that why my colleagues refuse to denounce the former President's lie uttered today, that the real insurrection was on November 3?

Take back your party. You can start today. You can start right here. You can start by holding Steve Bannon accountable for his blanket defiance of a congressional subpoena.

What is wrong with Steve Bannon? There is no cult exception to the United States Constitution. There is a

legitimate, bipartisan congressional investigation that is underway into the violent insurrection and attack on the Capitol on January 6. It was an assault on the Congress, the Constitution, and the country.

A lawful subpoena has been issued that Steve Bannon should comply with. We must hold Steve Bannon accountable for his blanket defiance of a congressional subpoena, for undermining the rule of law, and for obstructing a congressional investigation because, in America, no one, no one, no one is above the law.

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

Mrs. FISCHBACH. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota (Mr. EMMER).

Mr. EMMER. Mr. Speaker, I thank my colleague from Minnesota for the time.

Mr. Speaker, I rise in opposition to the previous question so that we can immediately consider H.R. 5586.

This bill would kill a Biden administration proposal that would allow IRS agents to comb through the bank accounts of any American who spends more than \$10,000 a year.

To put that in perspective, \$10,000 a year equates to just \$28 a day, \$850 a month, or half of the average Minnesota mortgage payment. In other words, the Biden administration wants the IRS to be able to spy on tens of millions of Americans.

Don't be mistaken. This proposal does not just target the 1 percent, as the President sometimes likes to claim. Instead, it is pointed directly at working American families.

Today, I led a letter, with more than 200 of my colleagues, urging Treasury Secretary Janet Yellen to scrap this proposal to spy on American citizens.

This is not China. We must protect Americans' right to privacy and stop this proposed intrusive, unnecessary Biden financial reporting requirement.

Mr. MCGOVERN. Mr. Speaker, let me just say, not only will my Republican friends not condemn the President's outrageous and unacceptable and unconscionable statement today, but they won't even talk about what we are here for.

That is what fear looks like, and it is really unbelievably sad.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. DEAN).

Ms. DEAN. Mr. Speaker, I rise in support of the rule and the underlying resolution.

Mr. Speaker, I want to start by saying that this is not just about Mr. Bannon. This is about our rule of law, our democracy, and protecting it for future generations.

On January 6, a mob, incited by the lies of a political leader, descended on the Capitol. Nooses, vandalism, death threats to elected officials, Americans remember the violence that took place here.

□ 1300

Beltway chatter often focuses on the winners and losers of that day. But on that day, we all lost. Americans lost their lives, and we nearly lost our democracy. That is why we created a bipartisan January 6 commission. We know that unless we do our jobs, the ultimate losers will be future generations who will wonder what happened to our Nation.

The commission's work is serious and has no time for the games of Mr. Bannon or anyone else who would disregard the rule of law. Our Constitution and our courts have made it clear that Congress has the power to investigate. This power is vital to the protection of our democracy, and it must be respected.

I think a lot about our late, dear colleague, Elijah Cummings, and his words still sit with me. He said that when we are dancing with the angels, the question will be asked: What did we do to ensure we kept our democracy intact?

I stand before you, Mr. Speaker, with that quote on my heart, thinking of my own four grandchildren and when they learn of January 6, they will see a time when America descended into violence, destruction, and desecration; when Americans attacked Americans and threatened our democracy.

And what did I do?

What did we all do to protect our democracy?

So I lend my voice to hold Mr. Bannon in contempt and support the bipartisan select committee for their work in keeping our democracy and our future intact.

Mrs. FISCHBACH. Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. COLE), who is the ranking member of the Rules Committee.

Mr. COLE. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, as my good friend from Georgia explained, if we defeat the previous question, we will immediately move to bring up H.R. 5586. This bill is critically important to ensure there will be no expansion of Internal Revenue Service requirements for financial institutions to report the ins and outs of bank accounts.

Members may remember this issue during the debate on ObamaCare when the Democrats tried to require anyone who received a payment of more than \$600 to be given a 1099. People were rightly outraged by this provision, and it was repealed before it ever went into effect. Now, with their new reconciliation bill, the Democratic majority is again looking for payfors and are willing to sacrifice the privacy of all Americans in that quest. Every threshold being discussed for inclusion will give the IRS full access to what is in the bank account of every American.

And what is the justification for that, Mr. Speaker?

It is to help the IRS to identify tax cheats. Well, I can tell you, Mr. Speaker, the Democratic proposal will make

everyone who pays rent or a mortgage a target and won't do anything to help the IRS close the tax gap.

Mr. Speaker, the Democratic plan is an astonishing breach of privacy. Giving the IRS the power to snoop around financial accounts, even with no accusation of wrongdoing, violates every protection against government overreach. Americans have a reasonable expectation of privacy in their homes and in their personal lives, including their financial lives. Yet, if the majority has their way, the IRS will be empowered to go digging around in the bank accounts of everyday Americans in search of wrongdoing. That is simply beyond the pale.

We have seen what can happen when the IRS abuses its power. It was only a few short years ago that the IRS was targeting political and religious organizations for their beliefs, an astonishing violation of their First Amendment rights.

What the IRS needs, Mr. Speaker, is oversight and accountability, and that is why we need to bring up and pass H.R. 5586 today. Only this will ensure that the IRS is not granted unprecedented power to intervene in the lives of and invade the privacy of ordinary Americans.

Mr. MCGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), who is the distinguished majority leader.

Mr. HOYER. Mr. Speaker, I thank the chairman of the Rules Committee for yielding.

Mr. Speaker, this resolution ought to be supported, and the underlying action that the rule provides for ought to be supported by every Member of this House who believes that this House has a constitutional responsibility of oversight, of protecting the Constitution and the democracy in which we all are privileged to live, and the integrity of this House.

Oversight is not possible for this House if, in fact, it cannot request and, indeed, demand the testimony of those who have information which this House, the people's House and the protector of our democracy and our Constitution, needs to protect our democracy. This rule and the underlying action for which it provides is essential.

Mr. Speaker, if I were trying a case, I would offer as Exhibit A a statement by the man who would be dictator, Donald Trump, who absurdly and, of course, incorrectly says the insurrection took place on November 3, election day. January 6 was the protest.

My view is that man, Donald J. Trump, protests too much, because I believe that he recruited, incited, and deployed an insurrectionist mob to threaten this institution, its Members, its constitutional responsibility in the electoral process of the Presidency of the United States, and democracy itself.

Mr. Speaker, the events of January 6 exposed threats to our democracy that must be fully understood and ad-

dressed. It is a weighty responsibility that falls to the House Select Committee to Investigate the January 6th Attack on the United States Capitol, a bipartisan committee.

I want to thank Chairman THOMPSON, Vice Chair CHENEY, and all of those serving on this committee for their commitment to seeking the truth, defending our democracy, and to giving sufficient information to our public and our constituents, our people, that they know this to be a stark and dangerous lie.

The committee is doing a diligent job at finding the truth. This task should not have fallen to the members of a select committee, this subpoena for contempt. We should have been able to come together, Democrats and Republicans, to create a bipartisan commission in the style of the 9/11 Commission, recognizing that such consequential and transformative attacks require us to come together as one nation indivisible to seek answers and identify solutions to make our country safer.

Sadly, however, we have come to a place where one party is so focused on defending the indefensible that this institution cannot act as Americans but, rather, are relegated to acting simply as partisans.

Nevertheless, Mr. Speaker, I am heartened to see Democrats and some courageous Republicans working together to uncover the truth of what happened that day. These Republican Members are exhibiting what President Kennedy would call profiles in courage.

In order for this committee to perform its work in full—indeed any committee of the Congress to perform its work in full—ultimately it has to be able to get the information that it needs from those who know the information it needs. It must hear testimony from all those who may have information regarding the events of January 6 in this particular case. That is why we provided the committee with subpoena authority.

Steve Bannon's refusal to appear, even when subpoenaed is, A, a demonstration of his contempt, not only for Congress but his contempt of the Constitution and his contempt for the law. It is unacceptable and obstructive to this process of uncovering the full story of that day's attack on the Capitol. He must be found in contempt, not as a Democrat and not as a Republican, but on behalf of this institution and the people whom we represent.

Withholding information on the events of that day from the committee is no less than an act of betrayal of the American people and of our constitutional democracy.

The American people need to understand what led to the violent insurrection that sought to overturn our election and led to the deaths of multiple police officers and others; although, as I said, Exhibit A, the former President's comments, should be the proof in and of itself the American people need to understand what led to the

deaths of those police officers and the placing at risk the democratic process of electing a President of the United States.

We need to understand, Mr. Speaker, how this could have happened, why it happened, and what ought to be done to hold the perpetrators accountable and prevent the events of the day from being repeated.

That appears to be the fear on the floor of this House today: accountability, responsibility, and consequences.

In refusing to appear before the commission, Mr. Bannon has made it clear where his loyalties lie. He has chosen Trump first and America last, not America first. Trump first, America last. Trump first, our Constitution last. Trump first, our democracy last. Trump first, the House of the people, this House of Representatives last. And he will have to answer for that to us.

This is a moment of reckoning for our country, reckoning with hard truths and painful memories, a reckoning that, above all, requires truth and understanding.

Can't we, Mr. Speaker, in a bipartisan way summon the courage to look the truth in the eye and vote the truth?

We cannot allow anyone to shirk their responsibility to share that truth and help the American people understand.

Therefore, Mr. Speaker, I urge the House to vote "yes" on this resolution and to vote "yes" on the citation for contempt so that Chairman THOMPSON, Vice Chairwoman CHENEY, and the members of the select committee can make it clear to Mr. Bannon and to all others summoned to testify they will seek the truth, the whole truth, and nothing but the truth as they determine what we must do to protect our beloved country, our beloved Constitution, and our beloved democracy.

□ 1315

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentlewoman from Oklahoma (Mrs. BICE).

Mrs. BICE of Oklahoma. Mr. Speaker, as explained prior, if we defeat the previous question, we will immediately move to bring up H.R. 5586. This bill prohibits the expansion of the Internal Revenue Service's requirements for financial institutions to report bank account transactions.

The Biden administration is searching for ways to pay for their partisan \$5.5 trillion social policy bill, and one of the Democrats' proposed solutions is to spy on taxpayers' bank accounts.

Their proposal would require financial institutions and service providers to report data on accounts that deposit or withdraw more than \$600 or maybe \$10,000 to the Internal Revenue Service to help ensure that Americans are paying their fair share in taxes.

Democrats claim that this regulatory expansion would only impact wealthy Americans and businesses. But in reality, it targets virtually all working-class people in our Nation.



This government overreach would be an enormous violation of privacy, jeopardize the financial security of all Americans, and impose significant compliance costs on financial institutions.

Through this proposal, the Democrats are looking to weaponize the IRS by creating a new surveillance program, which would allow them to monitor every single bank account without permission or limit. In order to conduct this surveillance on Americans, the provision includes \$80 billion to double the number of IRS agents, which would be six times the size of the IRS' annual budget.

This plan was initially included in the massive budget reconciliation bill and has now since been removed after pushback from financial institutions and customers. But it is still being considered for passage.

Regardless, my House Republican colleagues and I are doing what we can to protect the financial security and privacy of the American people.

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

Mrs. FISCHBACH. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from Oklahoma.

Mrs. BICE of Oklahoma. I have recently written a letter to Speaker PELOSI, Chairman NEAL, Secretary Yellen, and Commissioner Rettig to express my concerns of overburdening the data collection system, exposing millions of Americans to potential cyberattacks, and how distrust in banks negatively impacts our economy.

Additionally, I signed on to a letter and cosponsored two bills that directly address this pressing issue. The letter to Secretary Yellen expressed the concern of more Americans unbanking due to privacy concerns and distrust in banks and how applying extra reporting requirements for financial institutions would be incredibly burdensome.

The U.S. Government should not have the authority to spy on bank accounts of American taxpayers. The Biden administration's proposal would significantly impact the working class, invade privacy, pose financial security threats for Americans and businesses, and further burden institutions. House Republicans are working tirelessly to put a stop to this government overreach and protect the American people's security, privacy, and trust in this great Nation.

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

Mr. Speaker, I appreciate the gentlewoman updating us on the bills that she has cosponsored and her opinions about the IRS, which have nothing to do with the underlying bill that we are debating here today. But it is stunning to me that neither she nor any of my friends on the other side of the aisle will respond to what the former occupant of the White House said today in a statement, that the insurrection took place on November 3; that our

election, our lawful election in one of the oldest democracies in the world, was somehow an insurrection; and that January 6 was merely a protest.

I am stunned by this. I challenge the next speaker, please, can you say that you disassociate yourself with this statement? Can you make it clear to the American people that you want no part of this? I get it. You endorsed this man. He campaigned for you. You are afraid of his base. You are afraid every time he says anything. But the bottom line is, this statement needs to be condemned, and the unwillingness of anybody on the other side to condemn this statement is unconscionable.

Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Mr. Speaker, they won't question Trump's statement that the insurrection was November 3 because that is the day each and every one of them and each and every one of us was elected. It was a free and fair election when it came to electing Congresspeople, but for President, they think it was an insurrection. Horse manure.

Bannon, who was thumbing his nose at the Constitution and this Congress by not responding to his subpoena, said that it would be different than on election day, on January 6. It wouldn't go as expected, because he was part of plotting what was an overthrow of our government.

He was pardoned by President Trump for ripping off Trump supporters. He got them to give money to an effort to build the wall, and he took over \$1 million for his own personal expenses. Fraud. But Trump didn't care that he ripped off Trump people for a Trump wall. He pardoned him. The whole thing is a con game, and we need to end it before democracy goes out the window.

I urge you to support the rule and the underlying resolution. Protect America and protect democracy.

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Mr. Speaker, I want to thank my colleague from Minnesota for yielding and Mr. FERGUSON for leading this effort.

If the previous question is defeated, we will amend the rule and immediately consider H.R. 5586, the Prohibiting IRS Financial Surveillance Act.

This legislation would prohibit the Treasury Department and the IRS from implementing any new financial account surveillance regimes. This is a direct response to this administration's invasive proposal that would require financial institutions to report transaction data on every American's bank account that meets their proposed threshold.

I am deeply skeptical of the need for this dangerous expansion of IRS oversight and believe it to be a significant risk to individual privacy. The Democrats are leading the American people

to believe that this is needed to target wealthy tax cheats and to help close the tax gap. Unfortunately, this proposal, even with a \$10,000 threshold, would subject Americans at every rung of the economic ladder to these onerous reporting requirements. This includes middle-class families, small business owners, and farmers.

Even with proposed carve-outs, this proposal would turn local banks into IRS reporting units, which is not only incredibly burdensome but also costly. I have already been hearing from local bankers in Morton and Liberty, Illinois, and throughout my district who are deeply concerned about how this proposal will encourage their customers to empty out their bank accounts, further exacerbating the unbanked-banked divide.

In a letter dated September 29, 2021, the Department of the Treasury cited that the IRS experiences 1.4 billion cyberattacks a year. I don't know a single American who would like to have their personal data reported to a system that is highly targeted by hackers and foreign adversaries. In addition, the IRS' track record for leaking personal information raises serious questions about their ability to implement a program of this scale.

I am proud to join my friend, Congressman FERGUSON, in his effort to protect Americans' privacy, and I urge my colleagues to defeat the previous question.

Mr. MCGOVERN. Mr. Speaker, when the gentlewoman from Minnesota yielded the gentleman from Illinois an additional minute, I was kind of hopeful that maybe he would be the one to say that he disassociates himself from the statement of Donald Trump today in which he said that the insurrection took place on November 3, election day.

I would be happy to yield 30 seconds to him if he wants to say that this was a statement that is not only unconscionable but that every American should condemn.

Mr. Speaker, I yield 3 minutes to the gentleman from South Carolina (Mr. CLYBURN), the majority whip.

Mr. CLYBURN. Mr. Speaker, I thank Chairman MCGOVERN for yielding me the time.

Mr. Speaker, I often quote George Santayana, who warned: "Those who cannot remember the past are condemned to repeat it."

The insurrection on January 6 was the worst attack on our Constitution since the Civil War. While the secessionists were defeated in 1865, our Nation's experiment with multiracial democracy during Reconstruction did not last.

It was extinguished by the Lost Cause mythology that minimized the evils of the secessionists and raised monuments to the leaders of the Confederacy that they established. These willful circumventions and misrepresentations were used as justification

for avoiding accountability and violently stripping African Americans of constitutional rights.

We are at risk of repeating that history today. Just as the Lost Cause laid the ideological groundwork for Jim Crow and all its inhumanities, the big lie seeks to justify nullification laws that seek to suppress votes and establish autocratic rule.

The former President and his enablers are using the big lie to deny the horror of January 6. They are attempting to obstruct and subvert the select committee's work and to prevent a full accounting of their efforts to undermine our democracy.

We know from our history that when our government is attacked, failing to hold the perpetrators accountable emboldens them. Allowing their myths to gain currency incentivizes them. And underestimating their disregard for their fellow citizens enables them to deny those citizens their constitutional rights.

I urge adoption of this resolution so that we avoid repeating the past, at least that part of our past that dehumanizes our fellow citizens. We must act to strengthen our democracy and build a better future for our country so that it can once again be the envy of the world.

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. VAN DUYNE).

Ms. VAN DUYNE. Mr. Speaker, while my colleagues on the other side of the aisle are singularly focused on the happenings only within the walls of Capitol Hill, the rest of us, working families, are struggling with the consequences of this failed administration, including rising inflation; pending unemployment; border threats; increased drugs and violence in our neighborhoods; and an out-of-control, power-hungry administration.

I cannot explain the chairman's and majority leader's absolute and unhealthy obsession with a former President, but I sincerely urge them to seek treatment so that they can focus on the insurmountable harms that are being caused by the current administration and how they are currently forcing them on all of the American people.

I rise in opposition to the previous question so that the House can immediately consider H.R. 5586, legislation critical to stopping the Democrats' unending attempts to control every aspect of American lives.

Now the left is in an unrelenting pursuit of tracking every penny you and your family personally earn and spend. If the price tag for their socialist policies weren't alarming enough, what is hidden inside the bill should truly horrify all Americans.

If you pay rent, if you buy groceries, or pay a mortgage, you are going to be subject to surveillance. From the lowest income earners on up, every American will be checked.

Thousands more IRS bureaucrats will be hired for their new surveillance pro-

gram, with authority to monitor every transaction you make. Every account transaction would be traced and reported to the Federal Government, edging us closer and closer to a communist-controlled police state.

Republicans are unified in our fight against this new surveillance program. My friend and ranking member, KEVIN BRADY, led the charge to stop this early on, but not a single Democrat stood up for Americans' financial privacy.

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

Mrs. FISCHBACH. Mr. Speaker, I yield an additional 15 seconds to the gentlewoman from Texas.

Ms. VAN DUYNE. First, things are reported and monitored, and then they are controlled. We cannot let Democrats push us down this dangerous and slippery slope.

□ 1330

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

Mr. Speaker, oh, my God, can somebody, please—I beg of you on the other side—can somebody, please, disassociate yourself or condemn the statement by the former President who said today that the insurrection took place on November 3?

All my colleagues were elected on November 3 as well. If you believe that election day was an insurrection, then your election results are illegitimate.

Can somebody, please, for the sake of our democracy, say that what was said by the former President is wrong? Please.

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

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. HOLLINGSWORTH).

Mr. HOLLINGSWORTH. Mr. Speaker, like my colleagues today, I rise in opposition to the previous question so that we can immediately consider H.R. 5586, Prohibiting IRS Financial Surveillance Act.

Mr. Speaker, Hoosiers are outraged. My friends across the aisle would have you believe that it is just the Hoosier financial institutions that are outraged at having to hand over the personal account information of their customers. It is, in fact, those account owners that are outraged at the notion that my friends across the aisle would build an apparatus to surveil and snoop in their personal bank accounts.

Now, their horror only grows as I answer questions for them. First, they ask, surely this must apply only to the super rich and not to me. But I reply, no, it applies to you if you spend just over \$200 a week.

Then they will ask, surely this must only apply to those that are suspected of a crime. And I say, no, it is collection on every account, irrespective of whether there is a suspected crime or tax evasion afoot.

Then, of course, they will ask me, surely the IRS has a very good track

record of keeping this data safe. And I have to reply, no, the track record, in fact, indicates the opposite. The IRS has a terrible track record of keeping this data safe against the intrusion of actors from around the world and right here at home.

And then they say, well, surely the IRS has a good track record of not mobilizing this data for political purposes. And yet, again, I have to say, no, in fact, the evidence indicates the IRS has mobilized this data for their own political purposes and for the political purposes across the aisle.

My friends, this is horrifying, this surveillance state that is trying to be built. Hoosiers understand what is being asked of them. Trillions of dollars are being proposed to be spent, and now they are being asked to give up their personal information from their personal bank accounts to foot that bill for my colleagues across the aisle. I hope this stops here.

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

Mr. Speaker, I don't know if this microphone is working, because I am not sure my colleagues can hear me when I have asked them over and over again, can you please disassociate yourself from the former President's statement today? It is important. It is on topic.

By the way, what the gentleman just talked about has nothing to do with what we are talking about today. It is amazing that nobody wants to talk about what is on the floor today.

But my constituents, when they talk to me, you know what they are fearful about? They are fearful about losing our democracy in their lifetime. And the inability or the unwillingness of my friends on the other side to be able to disassociate themselves with a statement by the former President, which today he said the election on November 3 was somehow the insurrection. It is stunning to me. He is tearing this country apart, and the silence and the indifference on the other side is aiding him in his quest to do that.

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

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentlewoman from Indiana (Mrs. WALORSKI), my good friend.

Mrs. WALORSKI. Mr. Speaker, I rise to oppose the previous question. If we defeat the previous question, Republicans will amend the rule to include H.R. 5586, the Prohibiting IRS Financial Surveillance Act, legislation to prevent the IRS from snooping into Americans' personal financial accounts.

Under President Biden and Congressional Democrats' policies, American families continue to be squeezed by inflation at the gas pump, at the grocery store, and in their monthly energy bills. But this inflation squeeze isn't enough for them. Now, they want to monitor the average American's bank account. As part of Democrats' misguided tax-and-spending spree, they



have proposed new reporting requirements, from financial institutions to the IRS, regarding private account information.

This vast government overreach would turn financial institutions in my district into local outposts of the IRS, all with the sole purpose of reporting Hoosiers' personal financial account information back to the Government. Make no mistake, this will capture virtually every American, who will be subject to increased levels of IRS intrusion in their daily lives.

The IRS already has been challenged by the leak of thousands of documents, including sensitive taxpayer information. The collection of additional data would only exacerbate this problem and subject many Americans to the potential exposure of their personal information. Let's not forget, under the Obama administration, the IRS systematically targeted certain groups applying for tax-exempt status simply because of their political affiliation.

I hope that we can defeat the previous question to protect the privacy of all Americans and to ensure that the IRS won't be surveilling every financial transaction.

Mr. Speaker, I urge my colleagues to oppose the previous question.

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

Mrs. FISCHBACH. Mr. Speaker, I yield myself the balance of my time for closing.

Mr. Speaker, the majority has chosen to turn the committee into a vehicle to push their own narrative, and it is clearly more interested in pursuing a partisan agenda to politicize January 6 rather than conducting a legitimate, good-faith investigation into the security failures leading up to that day.

As my colleague from Pennsylvania pointed out, where is the legitimate legislative purpose? The Members across the aisle have yet to address what kind of legitimate legislative purposes could, might, or even possibly come out of the commission investigation.

A lawful subpoena, according to the Supreme Court, needs to serve a legitimate legislative purpose. The majority leader used words like "oversight," "the American people need to understand," and "hold perpetrators accountable." These statements do not qualify as a legitimate legislative purpose.

This is nothing more than an attempt by the Democrats to distract from the very real issues facing Americans every day. I look forward to getting back to the real work of solving the supply chain issues, reclaiming American energy production, and empowering U.S. citizens to live their lives without government interference or surveillance.

Mr. Speaker, I oppose the previous question, the rule, and the underlying legislation, and I urge my colleagues to do the same.

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

Mr. McGOVERN. Mr. Speaker, may I inquire as to how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Massachusetts has 2½ minutes remaining.

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

Mr. Speaker, I can't adequately express the outrage I feel about what happened in this institution on January 6. It was not only an attack on this building; it was an attack on our democracy.

I will tell you, if we don't have our democracy intact, you are not going to fix the supply chain issues or the energy issues or any other issues.

Our democracy is in peril. It was attacked on January 6.

Mr. Speaker, I am the chairman of the Rules Committee, so I understand what the rules of the House are, so I cannot say what I really feel about what went on in this Chamber today with this debate. I am disgusted, to be quite honest with you.

We are trying to get to the bottom of what happened on January 6, and many on the other side have done everything they could to frustrate that effort. Now, we have somebody who doesn't want to comply with a subpoena, and we are saying we are going to put some force behind that. We need to be able to do our oversight. We need to get to the truth, and my friends are trying to frustrate that.

Then today, former President Trump issues a statement saying insurrection day took place on November 3. That was election day, when we were all elected. That is what he thought? That is what he thinks was an insurrection? And January 6 was just a protest.

We were all here that day. We saw the violence. People lost their lives that day. People were wounded that day. People were traumatized by that day. Again, it was not just an attack on this building and the people who work here; it was an attack on our democracy.

And my friends on the other side of the aisle can't even muster the courage to say that the former President was wrong in his statement. That is what fear looks like. That is what fear of Donald Trump looks like. It is so sad that a once great party has come to this.

I said it earlier. Members come and go. I know people are all worried about the latest polls and where our base is and what political implications will come from this or that. But at the end of the day, you ought to be worried about your legacy, about what your children and grandchildren think.

Mr. Speaker, I urge my colleagues to vote "yes" on the rule and "yes" on the previous question.

The material previously referred to by Mrs. FISCHBACH is as follows:

#### AMENDMENT TO HOUSE RESOLUTION 727

At the end of the resolution, add the following:

SEC. 2. Immediately upon adoption of this resolution, the House shall proceed to the

consideration in the House of the bill (H.R. 5586) to prohibit the implementation of new requirements to report bank account deposits and withdrawals. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

SEC. 3: Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 5586.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mrs. FISCHBACH. 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 221, nays 206, not voting 4, as follows:

[Roll No. 327]

#### YEAS—221

Adams	DeGette	Kininger
Aguilar	DeLauro	Kirkpatrick
Allred	DelBene	Krishnamoorthi
Auchincloss	Delgado	Kuster
Axne	Demings	Lamb
Barragán	DeSaulnier	Langevin
Bass	Deutch	Larsen (WA)
Beatty	Dingell	Larson (CT)
Bera	Doggett	Lawrence
Beyer	Doyle, Michael	Lawson (FL)
Bishop (GA)	F.	Lee (CA)
Blumenauer	Escobar	Lee (NV)
Blunt Rochester	Eshoo	Leger Fernandez
Bonamici	Españillat	Levin (CA)
Bourdeaux	Evans	Levin (MI)
Bowman	Fletcher	Lieu
Boyle, Brendan	Foster	Lofgren
F.	Frankel, Lois	Lowenthal
Brown	Gallego	Luria
Brownley	Garamendi	Lynch
Bush	Garcia (IL)	Malinowski
Bustos	Garcia (TX)	Maloney,
Butterfield	Golden	Carolyn B.
Carbajal	Gomez	Maloney, Sean
Cárdenas	Gonzalez,	Manning
Carson	Vicente	Matsui
Carter (LA)	Gottheimer	McBath
Cartwright	Green, Al (TX)	McCollum
Case	Grijalva	McEachin
Casten	Harder (CA)	McGovern
Castor (FL)	Hayes	McNerney
Castro (TX)	Higgins (NY)	Meeks
Cheney	Himes	Meng
Chu	Horsford	Mfume
Cicilline	Houlahan	Moore (WI)
Clark (MA)	Hoyer	Morelle
Clarke (NY)	Huffman	Moulton
Cleaver	Jackson Lee	Mrvan
Clyburn	Jacobs (CA)	Murphy (FL)
Cohen	Jayapal	Nadler
Connolly	Jeffries	Napolitano
Cooper	Johnson (GA)	Neal
Correa	Johnson (TX)	Neguse
Costa	Jones	Newman
Courtney	Kahele	Norcross
Craig	Kaptur	O'Halleran
Crist	Keating	Ocasio-Cortez
Crow	Kelly (IL)	Omar
Cuellar	Khanna	Pallone
Davids (KS)	Kildee	Panetta
Davis, Danny K.	Kilmer	Pappas
Dean	Kim (NJ)	Pascarell
DeFazio	Kind	Payne

Perlmutter  
Peters  
Phillips  
Pingree  
Pocan  
Porter  
Pressley  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Ross  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan  
Sánchez  
Sarbanes  
Scanlon  
Schakowsky  
Schiff  
Schneider

## NAYS—206

Aderholt  
Allen  
Amodei  
Armstrong  
Arrington  
Babin  
Bacon  
Baird  
Balderson  
Banks  
Barr  
Bentz  
Bergman  
Bice (OK)  
Biggs  
Bilirakis  
Bishop (NC)  
Boebert  
Bost  
Brady  
Brooks  
Buchanan  
Bucshon  
Budd  
Burchett  
Hill  
Burgess  
Calvert  
Cammack  
Carl  
Carter (GA)  
Carter (TX)  
Cawthorn  
Chabot  
Cline  
Cloud  
Clyde  
Cole  
Comer  
Crawford  
Crenshaw  
Curtis  
Davidson  
Davis, Rodney  
DesJarlais  
Diaz-Balart  
Donalds  
Duncan  
Dunn  
Ellzey  
Emmer  
Estes  
Fallon  
Feenstra  
Ferguson  
Fischbach  
Fitzgerald  
Fitzpatrick  
Fleischmann  
Fortenberry  
Foxx  
Franklin, C.  
Scott  
Fulcher  
Gaetz  
Gallagher  
Garbarino  
Garcia (CA)  
Gibbs  
Gimenez

## NOT VOTING—4

Buck  
Lamborn

Schrader  
Schrier  
Scott (VA)  
Scott, David  
Sewell  
Sherman  
Sherrill  
Sires  
Slotkin  
Smith (WA)  
Soto  
Spanberger  
Speier  
Stansbury  
Stanton  
Stevens  
Strickland  
Suoizzi  
Swalwell  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus

Tlaib  
Tonko  
Torres (CA)  
Torres (NY)  
Trahan  
Trone  
Underwood  
Vargas  
Veasey  
Vela  
Velázquez  
Wasserman  
Schultz  
Waters  
Watson Coleman  
Welch  
Wexton  
Wild  
Williams (GA)  
Wilson (FL)  
Yarmuth

Miller-Meeks  
Moolenaar  
Mooney  
Moore (AL)  
Moore (UT)  
Mullin  
Murphy (NC)  
Nehls  
Newhouse  
Norman  
Nunes  
Oberholte  
Owens  
Palazzo  
Palmer  
Perry  
Pfluger  
Posey  
Reed  
Resenthaler  
Rice (SC)  
Rodgers (WA)  
Rogers (AL)  
Rogers (KY)  
Rose  
Rosendale  
Rouzer  
Roy  
Rutherford  
Salazar  
Schweikert  
Scott, Austin  
Sessions  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smucker  
Spartz  
Stauber  
Steel  
Stefanik  
Steil  
Steube  
Stewart  
Taylor  
Tenney  
Thompson (PA)  
Tiffany  
Timmons  
Turner  
Upton  
Valadao  
Van Drew  
Van Duyn  
Wagner  
Walberg  
Walorski  
Waltz  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams (TX)  
Wilson (SC)  
Wittman  
Womack  
Young  
Zeldin

□ 1411

Ms. FOXX and Mrs. BICE of Oklahoma changed their vote from “yea” to “nay.”

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

## MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Adams (Brown)  
Burgess (Lucas)  
Cooper (Clark (MA))  
DeFazio (Brown)  
Frankel, Lois (Clark (MA))  
Garcia (TX) (Escobar)  
Hice (GA) (Greene (GA))  
Huffman  
(Stanton)

Khanna  
(Bowman)  
Kirkpatrick (Stanton)  
Lawson (FL) (Evans)  
Lynch (Trahan)  
Meng (Jeffries)  
Moore (WI) (Beyer)  
Napolitano (Correa)  
Ocasio-Cortez (Escobar)

Payne (Pallone)  
Rodgers (WA) (Joyce (PA))  
Rush  
(Underwood)  
Salazar  
(Cammack)  
Sires (Pallone)  
Tlaib (Omar)  
Wasserman  
Schultz (Soto)  
Wilson (FL) (Hayes)

The SPEAKER pro tempore (Ms. DEGETTE). The question is on the resolution.

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

Mrs. FISCHBACH. Madam 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 221, nays 205, not voting 5, as follows:

[Roll No. 328]

## YEAS—221

Adams  
Aguilar  
Allred  
Auchincloss  
Axne  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Bourdeaux  
Bowman  
Boyle, Brendan F.  
Brown  
Brownley  
Bush  
Bustos  
Butterfield  
Cabrera  
Cárdenas  
Carson  
Carter (LA)  
Cartwright  
Case  
Casten  
Castor (FL)  
Castro (TX)  
Cheney  
Chu  
Cicilline  
Clark (MA)  
Clarke (NY)  
Cleaver  
Clyburn  
Cohen  
Connolly  
Cooper  
Correa  
Costa  
Courtney  
Craig  
Crist  
Crow  
Cuellar

Davids (KS)  
Davis, Danny K.  
Dean  
DeFazio  
DeGette  
DeLauro  
DeBene  
Delgado  
Demings  
DeSaunier  
Deutch  
Dingell  
Doggett  
Doyle, Michael F.  
Escobar  
Eshoo  
Español  
Evans  
Fletcher  
Foster  
Frankel, Lois  
Gallego  
Garamendi  
Garcia (IL)  
Garcia (TX)  
Golden  
Gomez  
Gonzalez, Vicente  
Gottheimer  
Green, Al (TX)  
Grijalva  
Harder (CA)  
Hayes  
Higgins (NY)  
Himes  
Horsford  
Houlahan  
Hoyer  
Huffman  
Jackson Lee  
Jacobs (CA)  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson (TX)  
Jones  
Kahele

Neal  
Neguse  
Newman  
Norcross  
O'Halleran  
Ocasio-Cortez  
Omar  
Pallone  
Panetta  
Pappas  
Pascarella  
Payne  
Perlmutter  
Peters  
Phillips  
Pingree  
Pocan  
Porter  
Pressley  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Ross  
Roybal-Allard  
Ruiz  
Ruppersberger

Rush  
Ryan  
Sánchez  
Sarbanes  
Scanlon  
Schakowsky  
Schiff  
Schneider  
Schrier  
Scott (VA)  
Scott, David  
Sewell  
Sherman  
Sherrill  
Sires  
Slotkin  
Smith (WA)  
Soto  
Spanberger  
Speier  
Stansbury  
Stanton  
Stevens  
Strickland  
Suoizzi  
Swalwell

## NAYS—205

Aderholt  
Allen  
Amodei  
Armstrong  
Arrington  
Babin  
Bacon  
Baird  
Balderson  
Banks  
Barr  
Bentz  
Bergman  
Bice (OK)  
Biggs  
Bilirakis  
Bishop (NC)  
Boebert  
Bost  
Brady  
Brooks  
Buchanan  
Buck  
Bucshon  
Budd  
Burchett  
Burgess  
Calvert  
Cammack  
Carl  
Carter (GA)  
Carter (TX)  
Cawthorn  
Chabot  
Cline  
Cloud  
Clyde  
Cole  
Comer  
Crawford  
Crenshaw  
Curtis  
Davidson  
Davis, Rodney  
DesJarlais  
Diaz-Balart  
Donalds  
Duncan  
Dunn  
Ellzey  
Emmer  
Estes  
Fallon  
Feenstra  
Ferguson  
Fischbach  
Fitzgerald  
Fleischmann  
Fortenberry  
Foxx  
Franklin, C.  
Scott  
Fulcher  
Gaetz  
Gallagher  
Garbarino  
Garcia (CA)  
Gibbs

Gimenez  
Gohmert  
Gonzales, Tony  
Gonzalez (OH)  
Good (VA)  
Gooden (TX)  
Gosar  
Granger  
Graves (LA)  
Graves (MO)  
Green (TN)  
Greene (GA)  
Griffith  
Grothman  
Guest  
Guthrie  
Hagedorn  
Harris  
Harshbarger  
Hartzler  
Hern  
Herrell  
Herrera Beutler  
Hice (GA)  
Higgins (LA)  
Hill  
Hinson  
Hollingsworth  
Rouzer  
Roy  
Rutherford  
Salazar  
Schweikert  
Scott, Austin  
Sessions  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smucker  
Spartz  
Stauber  
Steel  
Stefanik  
Steil  
Steube  
Stewart  
Taylor  
Tenney  
Thompson (PA)  
Tiffany  
Timmons  
Turner  
Upton  
Valadao  
Van Drew  
Van Duyn  
Wagner  
Walberg  
Walorski  
Waltz  
Weber (TX)  
Webster (FL)  
Wenstrup  
Williams (TX)  
Wilson (SC)  
Wittman  
Womack  
Young  
Zeldin

Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tlaib  
Tonko  
Torres (CA)  
Torres (NY)  
Trahan  
Trone  
Underwood  
Vargas  
Veasey  
Vela  
Velázquez  
Wasserman  
Schultz  
Waters  
Watson Coleman  
Welch  
Wexton  
Wild  
Williams (GA)  
Wilson (FL)  
Yarmuth

Miller (WV)  
Miller-Meeks  
Moolenaar  
Mooney  
Moore (AL)  
Moore (UT)  
Mullin  
Murphy (NC)  
Nehls  
Newhouse  
Norman  
Nunes  
Oberholte  
Owens  
Palazzo  
Palmer  
Perry  
Pfluger  
Posey  
Resenthaler  
Rice (SC)  
Rodgers (WA)  
Rogers (AL)  
Rogers (KY)  
Rose  
Rosendale  
Rouzer  
Roy  
Rutherford  
Salazar  
Schweikert  
Scott, Austin  
Sessions  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smucker  
Spartz  
Stauber  
Steel  
Stefanik  
Steil  
Steube  
Stewart  
Taylor  
Tenney  
Thompson (PA)  
Tiffany  
Timmons  
Turner  
Upton  
Valadao  
Van Drew  
Van Duyn  
Wagner  
Walberg  
Walorski  
Waltz  
Weber (TX)  
Webster (FL)  
Wenstrup  
Williams (TX)  
Wilson (SC)  
Wittman  
Womack  
Young  
Zeldin

## NOT VOTING—5

Lamborn Reed Westerman  
Pence Scalise

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1430

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. WESTERMAN. Madam Speaker, had I been present, I would have voted “nay” on rollcall No. 328.

## MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Adams (Brown)	Khanna	Payne (Pallone)
Burgess (Lucas)	(Bowman)	Rodgers (WA)
Cooper (Clark)	Kirkpatrick	(Joyce (PA))
(MA))	(Stanton)	Rush
DeFazio (Brown)	Lawson (FL)	(Underwood)
Frankel, Lois	(Evans)	Salazar
(Clark (MA))	Lynch (Trahan)	(Cammack)
Garcia (TX)	Meng (Jeffries)	Sires (Pallone)
(Escobar)	Moore (WI)	Tlaib (Omar)
Hice (GA)	(Beyer)	Wasserman
(Greene (GA))	Napolitano	Schultz (Soto)
Huffman	(Correa)	Wilson (FL)
(Stanton)	Ocasio-Cortez	(Hayes)
	(Escobar)	

## RECOMMENDING THAT THE HOUSE FIND STEPHEN K. BANNON IN CONTEMPT OF CONGRESS

Mr. THOMPSON of Mississippi. Madam Speaker, by the direction of the Select Committee to Investigate the January 6th Attack on the United States Capitol, I call up the report (H. Rept. 117–152) and accompanying resolution recommending that the House of Representatives find Stephen K. Bannon in contempt of Congress for refusal to comply with a subpoena duly issued by the Select Committee to Investigate the January 6th Attack on the United States Capitol.

The Clerk read the title of the report.

The SPEAKER pro tempore. Pursuant to House Resolution 727, the report is considered read.

The text of the report is as follows:

The Select Committee to Investigate the January 6th Attack on the United States Capitol, having considered this Report, reports favorably thereon and recommends that the Report be approved.

The form of the Resolution that the Select Committee to Investigate the January 6th Attack on the United States Capitol would recommend to the House of Representatives for citing Stephen K. Bannon for contempt of Congress pursuant to this Report is as follows:

*Resolved*, That Stephen K. Bannon shall be found to be in contempt of Congress for failure to comply with a congressional subpoena.

*Resolved*, That pursuant to 2 U.S.C. §§192 and 194, the Speaker of the House of Representatives shall certify the report of the Select Committee to Investigate the January 6th Attack on the United States Capitol, detailing the refusal of Stephen K. Bannon to produce documents or appear for a deposition before the Select Committee to Investigate the January 6th Attack on the United States Capitol as directed by subpoena, to

the United States Attorney for the District of Columbia, to the end that Mr. Bannon be proceeded against in the manner and form provided by law.

*Resolved*, That the Speaker of the House shall otherwise take all appropriate action to enforce the subpoena.

## PURPOSE AND SUMMARY

On January 6, 2021, a violent mob breached the security perimeter of the United States Capitol, assaulted and injured scores of police officers, engaged in hand-to-hand violence with those officers over an extended period, and invaded and occupied the Capitol building, all in an effort to halt the lawful counting of electoral votes and reverse the results of the 2020 election. In the words of many of those who participated in the violence, the attack was a direct response to false statements by then-President Donald J. Trump—beginning on election night 2020 and continuing through January 6, 2021—that the 2020 election had been stolen by corrupted voting machines, widespread fraud, and otherwise.

In response, the House adopted House Resolution 503 on June 30, 2021, establishing the Select Committee to Investigate the January 6th Attack on the United States Capitol (hereinafter referred to as the “Select Committee”).

The Select Committee is investigating the facts, circumstances, and causes of the January 6th attack and issues relating to the peaceful transfer of power, in order to identify how the events of January 6th were planned, what actions and statements motivated and contributed to the attack on the Capitol, how the violent riot that day was coordinated with a political and public relations strategy to reverse the election outcome, and why Capitol security was insufficient to address what occurred. The Select Committee will evaluate all facets of these issues, create a public record of what occurred, and recommend to the House, and its relevant committees, corrective laws, policies, procedures, rules, or regulations.

According to many published reports, and his own public statements, Stephen K. Bannon had specific knowledge about the events planned for January 6th before they occurred. He said on his January 5th podcasts, for example:

It's not going to happen like you think it's going to happen. OK, it's going to be quite extraordinarily different. All I can say is, strap in. [ . . . ] You made this happen and tomorrow it's game day. So strap in. Let's get ready.

All hell is going to break loose tomorrow. [ . . . ] So many people said, ‘Man, if I was in a revolution, I would be in Washington.’ Well, this is your time in history.

Mr. Bannon appears to have had multiple roles relevant to this investigation, including his role in constructing and participating in the “stop the steal” public relations effort that motivated the attack, his efforts to plan political and other activity in advance of January 6th, and his participation in the events of that day from a “war room” organized at the Willard InterContinental Washington D.C. Hotel (the “Willard Hotel”). Although he was a private citizen not employed by the White House at the time, he reportedly spoke with Mr. Trump directly regarding the plans for January 6th on at least one occasion. In short, Mr. Bannon appears to have played a multi-faceted role in the events of January 6th, and the American people are entitled to hear his first-hand testimony regarding his actions. The Select Committee expects that such testimony will be directly relevant to its report and recommendations for legislative and other action.

On September 23, 2021, Chairman BENNIE G. THOMPSON signed a subpoena for documents and testimony and transmitted it along with a cover letter and schedule to counsel for Mr. Bannon, who accepted service on Mr. Bannon's behalf on September 24, 2021. The subpoena required that Mr. Bannon produce responsive documents not later than October 7, 2021, and that Mr. Bannon appear for a deposition on October 14, 2021. Subsequent communications between counsel for Mr. Bannon and Chairman THOMPSON, however, failed to reach any accommodation for Mr. Bannon's appearance for testimony or production of documents. Indeed, counsel for Mr. Bannon on October 7, 2021, flatly stated that Mr. Bannon would not produce any documents or appear at the scheduled deposition, as ordered by the lawful subpoena. Although Mr. Bannon's counsel referenced vague claims of executive privilege purportedly relayed by the former President, no such claims have been presented by the former President to the Select Committee. And although the Select Committee is confident that such claims could not bar any of its requests, there is no conceivable executive privilege claim that could bar *all* of the Select Committee's requests or justify Mr. Bannon's flat refusal to appear for the required deposition. The Chairman's October 8, 2021, response addressed the legal arguments raised by Mr. Bannon's counsel and made clear that the Select Committee expected—as the law demands—that Mr. Bannon appear before the Select Committee at his deposition and raise any privilege or other concerns regarding specific questions on the record of that proceeding.

The contempt of Congress statute, 2 U.S.C. §192, makes clear that a witness summoned before Congress must appear or be “deemed guilty of a misdemeanor” punishable by a fine of up to \$100,000 and imprisonment for up to 1 year. Further, the Supreme Court in *United States v. Bryan* (1950) emphasized that the subpoena power is a “public duty, which every person within the jurisdiction of the Government is bound to perform when properly summoned.” The Supreme Court recently reinforced this clear obligation by stating that “[w]hen Congress seeks information needed for intelligent legislative action, it unquestionably remains the duty of all citizens to cooperate.”

Mr. Bannon did not produce documents by the subpoena's October 7, 2021, deadline nor did he appear for a deposition scheduled for October 14, 2021, as ordered by the subpoena and in contravention of the clear instructions by the Select Committee Chairman on October 8, 2021, to appear at the deposition and raise any privilege concerns in response to specific questions on the record. Mr. Bannon's refusal to comply with the Select Committee's subpoena *in any way* represents willful default under the law and warrants contempt of Congress and referral to the United States Attorney for the District of Columbia for prosecution as prescribed by law. The denial of the information sought by the subpoena impairs Congress's central powers under the United States Constitution.

## BACKGROUND ON THE SELECT COMMITTEE'S INVESTIGATION

House Resolution 503 sets out the specific purposes of the Select Committee, including: to investigate and report upon the facts, circumstances, and causes “relating to the January 6, 2021, domestic terrorist attack upon the United States Capitol Complex”;

to investigate and report upon the facts, circumstances, and causes “relating to the interference with the peaceful transfer of power”;

to investigate and report upon the facts, circumstances, and causes relating to “the