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House of Representatives

The House met at noon and was called to order by the Speaker.

PRAYER

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

Holy God, inspire us as we sing ancient choruses of the simple and the wise, who had much to fear, and even more to find;

Who stepped into the darkness to follow Your light, guided by angels, consoled in their fright.

Speak to us anew as we share the same stories each year, that somehow new tales of faith would be heard—even here—of people who relied fiercely on hope and a prayer, when the world around them knew little more than destruction and despair.

Fill us with the joy of children who delight in the laughter and light of this holiday season, that we would, with the same trusting hearts, receive the love You call us to believe in.

With the promise of Your salvation, we place our deepest yearnings in Thy tender care.

Redeem our world this day.

In Your most holy name, Lord, hear our prayer.

Amen.

THE JOURNAL

The SPEAKER. Pursuant to section 11(a) of House Resolution 188, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from California (Ms. LOFGREN) come forward and lead the House in the Pledge of Allegiance.

Ms. LOFGREN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

REPORT ON RESOLUTION RELATING TO THE CONSIDERATION OF HOUSE REPORT 117-217 AND AN ACCOMPANYING RESOLUTION

Mr. RASKIN, from the Committee on Rules, submitted a privileged report (Rept. No. 117-217) on the resolution (H. Res. 848) relating to the consideration of House Report 117-216 and an accompanying resolution, which was referred to the House Calendar and ordered to be printed.

RELATING TO THE CONSIDERATION OF HOUSE REPORT 117-216 AND AN ACCOMPANYING RESOLUTION

Mr. RASKIN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 848 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 848

Resolved, That if House Report 117-216 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 (Mr. CARSON). The gentleman from Maryland is recognized for 1 hour.

Mr. RASKIN. Mr. Speaker, for the purpose of debate only, I yield the cus-

tomary 30 minutes to the gentlewoman 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. RASKIN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

Mr. RASKIN. Mr. Speaker, today the Rules Committee met and reported a rule, House Resolution 848. The rule provides for consideration of the resolution accompanying House Report 117-216, 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 debate equally divided among and controlled by Chair THOMPSON, Vice Chair CHENEY, and an opponent.

Mr. Speaker, after producing 9,000 pages of documents that he conceded to be nonprivileged in any way; after saying he would comply with the subpoena to appear before the January 6th committee on December 8; after negotiating and rendering preliminary cooperation with the January 6th committee, Mark Meadows' book came out with tons of startling and eye-popping revelations about January 6th and the role that then-President Donald Trump played.

Ex-President Trump exploded and called Mr. Meadows' book fake news. Amazingly, Mr. Meadows agreed that his book was fake news, and then he suddenly pulled the plug on his agreement to testify in formal deposition before our committee on December 8.

Instead, he went to court and alleged that our committee has no valid legislative purpose.

□ 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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Mr. Speaker, Mr. Meadows' sudden vanishing act is plainly a delay tactic designed to run out the clock on one of the most important investigations in the history of the United States of America. If we don't have a legislative purpose in investigating the most sweeping, violent attack on the U.S. Capitol since the War of 1812, and the most serious and most dangerous threat to American constitutional democracy since the Civil War, then we really don't have a legislative purpose for anything we do here.

If this investigation into a dangerous assault on the American Government is not necessary and proper under our Constitution, then nothing is. Article I, Section 8, Clause 15 of the Constitution gives Congress of the United States the power to provide for: calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

Obviously, we have a legislative purpose in what we are doing to investigate an attack on this building, on this Chamber where more than 140 of our officers were wounded and injured, hospitalized, people came back with broken necks, broken jaws, broken vertebrae, broken arms, broken legs, traumatic brain injuries, and to this day, continue to suffer from post-traumatic stress syndrome.

The counting of electoral college votes was interrupted for the very first time in American history for several hours. This was the most serious, destabilizing, domestic threat to American constitutional democracy that any of us have seen in our lifetimes.

Now, the committee has bent over backwards to accommodate Mr. Meadows' multiple requests. It is now clear he has no intention of complying with the subpoena, even when his testimony could have no theoretical connection to an executive privilege claim. This is the key point.

He is categorically refusing to show up to testify about 9,000 pages of documents that he has already turned over to the committee and for which he has thus nullified any hypothetical assertions of executive privilege by President Biden, or a former President. He is refusing to testify about statements that he made in his book that are now all over the country, published last week, and that he has repeated in the media about what took place on January 6.

He is willing to talk about it in his book. He is willing to talk about it in public, but he is unwilling to undergo the questioning of our committee despite having been subpoenaed to do so in deposition.

This is another category of statements which has nothing to do with executive privilege because it has already been completely waived, completely obviated, and completely nullified by his own actions.

This witness, Mr. Speaker, must testify. He must come and render truthful, honest, and complete testimony

like 300 other witnesses before him have done, either voluntarily and patriotically, as the vast majority have done, or at least under compulsion of a legal subpoena.

The Supreme Court has been perfectly clear about that. We have the same authority to ask for people's testimony that a court does in pursuit of our official constitutional duties. And if anyone we have called as a witness knows in his bones that he must testify before this committee, it is Mr. Meadows himself, a former member of this body who repeatedly through his career in Congress insisted that high-ranking executive branch officials must comply with congressional demands for information and congressional subpoenas for their testimony.

By the way, you don't get to choose and say: Well, I will send you my documents, but I am not going to testify. That is not how going before Congress works or going before a court works.

In the last administration, multiple times, Mr. Meadows found high-ranking officials hiding information from Congress, withholding relevant documents, or "even outright ignoring congressional subpoenas."

And here is what he had to say about that: "This level of conduct, paired with the failure to even feign an interest in transparency, is reprehensible. And whether you're a Republican or a Democrat, this kind of obstruction is wrong, period."

"For 9 months we've warned them consequences were coming, and for 9 months we've heard the same excuses backed up by the same unacceptable conduct. Time is up and the consequences are here."

We have multiple statements by Mr. Meadows like that, who was a distinguished member of the Oversight and Reform Committee. He, of all Members, continually insisted that people and high-ranking government officials respect the authority of Congress to do its job.

Our investigative powers are implicit in, and intertwined with our powers to legislate as the Supreme Court has repeatedly emphasized.

The Meadows' lawsuit against individual members of this committee is extremely dubious in light of the Speech or Debate Clause and multiple other constitutional roadblocks, and its substantive allegations are frivolous, such as the central absurd claim that Congress has no legitimate purpose in investigating and reporting to the American people on a violent attack on our Capitol, our Presidential election, and on the peaceful transfer of power.

We must hold him in contempt for his refusal to participate in these proceedings, and I reserve the balance of my time.

Mrs. FISCHBACH. Mr. Speaker, I thank my colleague from Maryland and from the Rules Committee for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, once again, the select committee is acting to fulfill a predetermined narrative. It seems increasingly clear that my colleagues on the other side of the aisle want to prolong this political process to distract Americans from the very real issues concerning this country.

We have record-high inflation, a flood of immigrants at our southern border, a workforce and supply chain crisis, and instead of working toward real ways we can combat these crises, or, in fact, even admitting that these crises exist, we are back here, arguing if we should continue down a path of yet another partisan investigation of questionable motive and purpose.

□ 1215

That said, there are several questions that need to be resolved before we can continue with this vote. The courts have found that the power rests with Congress over subpoenas to private individuals if they serve a legitimate legislative purpose.

A legitimate legislative purpose would be issuing subpoenas to the leaders of the D.C. National Guard and the Sergeant at Arms so that we can find out what gaps in communications and authorities need to be filled and find solutions to ensure this doesn't happen again.

But have those been issued? Unfortunately not. Instead, House Democrats are continuing their witch hunt into President Trump and their political opponents who voted against the certification of the election, something that they themselves did just 4 years before.

What information is intended to be gathered that would be useful for a legitimate legislative purpose? It seems the majority keeps moving the goalposts for what qualifies them to hold someone in contempt.

This recipient has been cooperative, providing almost 9,000 pages of emails and other documents. But when the majority couldn't find what they wanted, the committee subpoenaed Verizon, looking for other information from his personal phone, invading his privacy.

There is no valid legislative purpose for this subpoena. Where does it stop? When will they be satisfied with the information they receive? They cannot continue punishing people just because they aren't getting the answers that they want.

Furthermore, criminal contempt is not subpoena enforcement. This decision will still not achieve the stated intent of obtaining the records.

The committee should seek a civil judgment and legally obligate a person to comply with the subpoena. Instead, my colleagues are going forward with this political ploy. Holding someone in criminal contempt is purely punitive. It leads me to wonder what the real mission of this committee is.

Unfortunately, Speaker PELOSI and the Democrats made it clear early on that this committee and its investigation were predestined to be a sham

when it tilted representation in favor of Democrats, rejecting two Republican Members selected to serve on the commission by the minority leader.

Mr. Speaker, I am deeply concerned about the precedent being set today because the majority is blinded by their own political agenda. I urge my colleagues to oppose this rule and the underlying resolution.

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

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

First of all, on the matter of the phone records, what has been subpoenaed is simply the metadata establishing where the phone calls were going amongst different parties that were involved in the January 6 insurrection and the attempted political coup against Vice President Pence, but not the actual communications themselves. There has not been a single word that has been subpoenaed from the telephone companies of the actual conversations that took place.

All of that, in any event, is an irrelevant distraction. Let's be very clear about what is going on here, Mr. Speaker. Mr. Meadows began to cooperate. He turned over 9,000 documents of extraordinary relevance to this investigation. We were getting exactly what we wanted, up until the point at which he pulled the plug on his participation.

Look at some of the texts which we released over the last 24 hours that came in as part of his discovery with the committee. This is from some Republican lawmakers and others:

"We are under siege up here at the Capitol," was one text he received.

"They have breached the Capitol."

"Mark, protesters are literally storming the Capitol. Breaking windows on doors. Rushing in. Is Trump going to say something?"

"There's an armed standoff at the House Chamber door."

"We are all helpless."

Here is what came in from some members of the media that Mr. Meadows turned over to the committee.

Laura Ingraham: "Mark, the President needs to tell people in the Capitol to go home. This is hurting all of us. He is destroying his legacy."

Brian Kilmeade sent this to Mark Meadows: "Please get him on TV. Destroying everything you have accomplished."

Here is Sean Hannity: "Can he make a statement? Ask people to leave the Capitol."

Trump family members also were texting, according to the materials turned over by Mark Meadows. Donald Trump, Jr.: "He's got to condemn this" excrement "ASAP. The Capitol Police tweet is not enough." Meadows responding: "I'm pushing it hard. I agree." Donald Trump, Jr.: "We need an Oval Office address. He has to lead now. It has gone too far and gotten out of hand."

Mr. Speaker, all of these texts and hundreds more like them lead to hun-

dreds of questions that we have about the sequence of events on January 6: Who did what in response to different pleas from lawmakers, Democrat and Republican alike? Who did what in response to these pleas coming in from members of the media and from members of the Trump family? What was the sequence of events? How was the National Guard involved? How did this interact with other parts of the Federal Government?

Then Mr. Meadows, though, did a U-turn when Donald Trump called his book "fake news." Meadows decided to agree with him and hurriedly said it was fake news and then said he would not appear on December 8, a date, by the way, which had been postponed from two other dates to testify because we wanted to accommodate his schedule and the schedule of his lawyer. But now he decides to go completely cold.

They are left in a completely untenable posture legally because he is refusing to testify about things that he has already conceded there is no privilege covering. He has said: None of this is privileged. I am turning it over to you.

We want to ask him questions about it, and now, suddenly, he runs back to the idea that there is some privilege, although one can see his eroding faith in that argument as the D.C. Circuit rejected the claims of executive privilege unanimously in *Trump v. Thompson*.

So now that is why he is saying we have no legitimate legislative purpose, which is perfectly absurd. If we don't have a legislative purpose in defending our own institution, our own Constitution, our own government, then we have no legislative purposes here at all if we can't even have an investigation into an attack that goes to the very survival of our form of government.

Mr. Speaker, Mark Meadows has to testify. He has to come in like 300 American citizens have patriotically and lawfully done. What makes him special? The fact that he knows a former President of the United States? I am afraid not.

In *Jones v. Clinton*, a case that my colleagues applauded on the other side of the aisle, the Supreme Court held that even a sitting President of the United States is not immune to civil actions, even a sitting President.

We don't have an office of former President. When you are no longer President of the United States, under our Constitution, you are a citizen like everybody else. You can't wave a magic wand over your friends and say that they don't have to comply with lawful subpoenas.

So this witness is in contempt of our committee and the United States Congress.

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

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. 2729, the Finish the Wall Act, authored by Representative HIGGINS.

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

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

There was no objection.

Mrs. FISCHBACH. Mr. Speaker, while the majority is playing their political games in Washington, a real crisis situation at our southern border remains. Illegal immigration is at a record high, and there are real human costs associated with that.

Between the dangerous journey to get to our border and the dangerous people coming across and continuing to commit crimes, people are dying in huge numbers because of this crisis.

It is no secret that fentanyl is coming across the southern border. This year, Border Patrol has seized twice as much of this deadly drug as last year, and more than 100,000 Americans have died from overdoses.

Because we essentially have an open border, there is no way to effectively keep criminals from crossing into our country.

Immigrants need to know there is a process for becoming an American and doing it in the wrong way will have consequences.

Finishing the wall would be a huge deterrent for these bad actors. We must finish the wall to slow the massive numbers of illegal immigrants we are seeing before we can have a serious conversation about immigration reform.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. TONY GONZALES).

Mr. TONY GONZALES of Texas. Mr. Speaker, I rise today in opposition to the previous question and to further highlight the failed border policies inflicted on the American people by President Biden's administration.

Border security is national security. My district is over 820 miles of the southern border, over 40 percent of our entire border with Mexico.

Every day, I see the challenges my constituents face because this administration has failed to protect them and failed to prioritize their safety as American citizens.

Every day, I hear from Border Patrol agents about the struggles that they face because of a lack of resources and their demanding work schedules.

Every day, I talk to constituents and border-town mayors who share their troubling experiences in dealing with burglaries and high-speed car chases.

Enough fentanyl has been seized at the border to kill every American in the United States.

Enough is enough. The Biden administration's failed policies and open-border rhetoric have led to a historic

surge in illegal immigration. We need to find a permanent solution that combines border security and legal immigration. So long as I am in Congress, I will fight every day to ensure that we secure the southern border.

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

I appreciate, of course, the temptation to just change the subject and talk about something completely different because there are no arguments left on their side.

The D.C. Circuit Court of Appeals in the Trump v. Bennie Thompson case, in an opinion of more than 50 pages, reviewed all the arguments on both sides about executive privilege and said executive privilege is a claim which, of course, belongs primarily and principally to the existing President of the United States, not to a former President of the United States. To the extent that a former President of the United States can raise it, the presumption is that the people in our constitutional democracy have a right to all the information they seek in order to govern themselves.

That is what the investigative power of Congress is about. We have a right to obtain the information we need in order to legislate. So the presumption is that we get it. That can only be overcome if a sitting President—or in perhaps some exceptional cases, a former President—demonstrates there is some compelling need that would override the fundamental right of the people to get the information we want.

The D.C. Circuit panel found unanimously that not only had they not shown there was a compelling need on Donald Trump's team, they didn't even identify a potentially compelling need. Of course, there isn't one. Why? The Supreme Court has already found that executive privilege does not cover criminal activity; much less could executive privilege cover insurrectionary activity or activity designed to promote an insurrection or a coup against the United States of America.

So I welcome my colleagues talking about anything else because it simply demonstrates their abandonment of the executive privilege argument, an argument also that has been abandoned by Mr. Meadows himself, who voluntarily turned over 9,000 pages worth of documents to our committee, thereby saying there was no privilege at all.

But now he is refusing to testify about it, apparently because of Donald Trump's explosive reaction to the publication of Mark Meadows' book. I am sorry, that is not a constitutional defense to being called to testify before Congress. You can't say a former President is mad at me and wants to wave a magic wand so I don't have to testify. That doesn't work in our system of government.

Mr. Meadows must come and testify, like hundreds of people have come to testify before our committee about this brutal attack on our system of government.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the distinguished gentleman of the January 6 Select Committee for yielding.

I serve as the chair of the Subcommittee on Crime, Terrorism, and Homeland Security, which, collectively with the Judiciary Committee, may ultimately be addressing the legislative aspect of what we are here for.

In particular, Mr. Speaker, this is a very sad day. I served with our former colleague, Mr. Meadows, a Member of the United States Congress. I believe that it was a number of years that he rose and took an oath to the Constitution of the United States of America.

□ 1230

In that oath he should have recognized the fact that the Article I body which we stand in today indicates that all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

All legislative powers. In order to have legislative powers, one must have the facts. That is what is being asked for today.

I think the American people need to understand that although there may be many concerns—I am from Texas as well; I know the border is not in crisis. It should be addressed. We as Texans know how to address it, and President Biden and Vice President HARRIS know how to address it, as other Presidents have. People are fleeing for their lives.

But our Constitution says of the Congress “to make all Laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.”

We are vested with a lot of powers. One of them is to be able to find the truth, to determine how we preserve our democracy, and how we need to legislate to do so. So I stand on the Constitution as I proceed with why we should move forward.

Again, this is a very sad day, but Mark Randall Meadows, former White House chief of staff, had a part in the perpetration of the big lie of the election fraud, and we must investigate it. Mr. Meadows was one of a relatively small group of people who witnessed the events of January 6 in the White House with the former President. He was there. Firsthand knowledge.

Some of these that I will recite have already been recited, but they are only a small measure with the huge bounty of documents that he and his lawyer consented to give to this committee. Consented to give. Consented to give. Voluntarily.

And so one must understand that when you do that, there is a question of waiver of the so-called alleged privilege that you are alleging, the executive

privilege. But the courts have already indicated that the privilege lies with the existing President, not the former President.

With that in mind, should we not recognize that the very allies, the media allies of the President—the former President, Laura Ingraham said to Mark, “The President needs to tell people in the Capitol to go home. This is hurting all of us.”

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

Mr. RASKIN. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from Texas.

Ms. JACKSON LEE. Brian Kilmeade, “Please get him on TV. Destroying everything you have accomplished.”

Sean Hannity, “Can he make a statement?”

And Donald Trump Jr., in profanity, said, Please help us.

But I want to just say, the United States v. Bryan says, “A subpoena has never been treated as an invitation to a game of hare and hounds, in which the witness must testify only if cornered at the end of the chase. If that were the case, then, indeed, the great power of testimonial compulsion, so necessary to the effective functioning of courts and legislatures, would be a nullity. We have often iterated the importance of this public duty, which every person within the jurisdiction of the Government is bound to perform when properly summoned.” We must do this, sadly, in order for his remarks to save the democracy to be heard.

Mr. Speaker, as a senior member of the Committees on the Judiciary, on Homeland Security, and on the Budget, I rise in support of the rule governing debate for H. Res. 851, “Recommending That The House of Representatives Find Mark Randall Meadows 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.”

It is with a heavy heart that I stand here today; this resolution will find a former colleague in contempt of the very body he once faithfully served.

However, protecting our democracy is the ultimate duty for each of us in this body, so we will do what must be done.

It is my sincere hope that during the course of this day, Mr. Meadows will reverse course and agree to comply with this lawful subpoena, in order to protect the dignity and sanctity of Congress.

On January 6th, the domestic terrorists who beat law enforcement officers and breached the Citadel of democracy of the United States proudly wore symbols of White Supremacist groups, waved confederate flags, hung a noose on the lawn, and they shouted racial epithets.

Mark Randall Meadows, former White House Chief of Staff, had a part in the perpetuation of the Big Lie of election fraud, and we must investigate and report upon the facts, circumstances, and causes “relating to the interference with the peaceful transfer of power” that Mr. Meadows was involved in.

Mr. Meadows was one of a relatively small group of people who witnessed the events of

January 6 in the White House and with the former president.

Mr. Meadows was with the former president on January 6 as he learned about the attack on the U.S. Capitol and decided whether to issue a statement that could stop the rioters.

In fact, according to documents already handed over to the Committee, as the violence at the Capitol unfolded, Mr. Meadows received many messages encouraging him to have the former president issue a statement that could end the violence.

According to the records, multiple Fox News hosts, and the former president's son knew that the former president needed to act immediately.

They texted Mr. Meadows, and he turned over these texts to this Committee.

These are some of those texts:

Laura Ingraham texted, "Mark, the president needs to tell people in the Capitol to go home. This is hurting all of us. He is destroying his legacy."

Brian Kilmeade texted, "Please, get him on TV destroying everything you have accomplished."

Sean Hannity texted, "Can he make a statement? Ask people to leave the Capitol."

Donald Trump Jr. texted, "he's got to condemn this shit ASAP. The Capitol Police tweet is not enough."

To this last text, Meadows responded, "I'm pushing it hard. I agree."

One former White House employee reportedly contacted Mr. Meadows several times and told him, "[you guys have to say something. Even if the president's not willing to put out a statement, you should go to the [cameras] and say, 'We condemn this. Please stand down.' If you don't, people are going to die."

As time passed without the former president intervening, Donald Trump Jr. again texted, "we need an Oval Office address. He has to lead now. It has gone too far and gotten out of hand."

But still, hours passed without necessary action by the president.

Moreover, Mr. Meadows reportedly spoke with Kashyap Patel, who was then the chief of staff to former Acting Secretary of Defense Christopher Miller, "nonstop" throughout the day of January 6.

Mr. Meadows apparently knows if and when the former president was engaged in discussions regarding the National Guard's response to the Capitol riot, a point that is contested but about which Mr. Meadows provided documents to the Select Committee and spoke publicly on national television after the former president left office.

But Mr. Meadows knows much more than just what happened during the attack.

Prior to the January 6 attack, Mr. Meadows received text messages and emails regarding apparent efforts to encourage Republican legislators in certain States to send alternate slates of electors to Congress, a plan which one Member of Congress acknowledged was "highly controversial" and to which Mr. Meadows responded, "I love it."

Mr. Meadows traveled to Georgia to observe an audit of the votes days after then-the former president complained that the audit had been moving too slowly and claimed that the signature-match system was rife with fraud. That trip precipitated the former president's calls to Georgia's deputy secretary of state and, later, secretary of state.

In the call with Georgia's secretary of state, which Mr. Meadows joined, the former president pressed his unsupported claims of widespread election fraud, including claims related to deceased people voting, forged signatures, out-of-State voters, shredded ballots, triple-counted ballots, Dominion voting machines, and suitcase ballots, before telling the secretary of state that he wanted to find enough votes to ensure his victory.

Mr. Meadows was chief of staff during the post-election period when other White House staff, including the press secretary, advanced claims of election fraud.

In one press conference, the press secretary claimed that there were "very real claims" of fraud that the former president's re-election campaign was pursuing and said that mail-in voting was one that "we have identified as being particularly prone to fraud."

Mr. Meadows participated in a meeting that reportedly occurred on December 18, 2020, with the former president, the White House counsel, an attorney associated with the campaign, White House staff, and private citizens, on proposals relating to challenging the 2020 election results.

Mr. Meadows reportedly sent an email—subject line: "Constitutional Analysis of the Vice President's Authority for January 6, 2021, Vote Count"—to a member of then-Vice President Pence's senior staff containing a memo written by an attorney affiliated with the former president's re-election campaign.

The memo argued that the Vice President could declare electoral votes in six States in dispute when they came up for a vote during the Joint Session of Congress on January 6, 2021, which would require those States' legislatures to send a response to Congress by 7 p.m. EST on January 15 or, if they did not, then congressional delegations would vote for the former president's re-election.

Mr. Meadows was in contact with at least some of the private individuals who planned and organized a January 6 rally, one of whom reportedly may have expressed safety concerns to Mr. Meadows about January 6 events.

It is apparent that Mr. Meadows's testimony and document production are of critical importance to the Select Committee's investigation, and Congress, through the Select Committee, is entitled to discover facts concerning what led to the attack on the U.S. Capitol on January 6, as well as White House officials' actions and communications during and after the attack.

Mr. Meadows is uniquely situated to provide key information, having straddled an official role in the White House and unofficial role related to the former president's reelection campaign since at least election day in 2020 through January 6.

Mr. Meadows was required under federal law to turn over documents to investigators and appear for a deposition in accordance with a subpoena the committee issued, but he did not comply by the dates set in the subpoena.

An individual—whether a member of the public or an executive branch official—has a legal (and patriotic) obligation to comply with a duly issued and valid congressional subpoena, unless a valid and overriding privilege or other legal justification permits noncompliance.

In *United States v. Bryan*, the Supreme Court stated:

A subpoena has never been treated as an invitation to a game of hare and hounds, in which the witness must testify only if cornered at the end of the chase. If that were the case, then, indeed, the great power of testimonial compulsion, so necessary to the effective functioning of courts and legislatures, would be a nullity. We have often iterated the importance of this public duty, which every person within the jurisdiction of the Government is bound to perform when properly summoned.

The Select Committee seeks testimony from Mr. Meadows on information for which there can be no conceivable privilege claim.

In fact, the non-privileged nature of some key information has been recognized by Mr. Meadows's own documents which he has previously handed over to the Committee.

Congress is entitled to Mr. Meadows's testimony on that information, regardless of his claims of privilege over other categories of information.

In *United States v. Nixon*, 418 U.S. 683, 703–16 (1974), the Supreme Court recognized an implied constitutional privilege protecting presidential communications.

The Court held though that the privilege is qualified, not absolute, and that it is limited to communications made "in performance of [a President's] responsibilities of his office and made in the process of shaping policies and making decisions."

Mr. Meadows has refused to testify in response to the subpoena ostensibly based on broad and undifferentiated assertions of various privileges, including claims of executive privilege purportedly asserted by former-President Trump.

However, his claims of testimonial immunity and executive privilege do not justify Mr. Meadows's conduct with respect to the Select Committee's subpoena.

His legal position is untenable in light of Mr. Meadows's public descriptions of events in the book that he is trying to sell and during his numerous television appearances, and his own previously produced documents.

Even if privileges were applicable to some aspects of Mr. Meadows's testimony, he was required to appear before the Select Committee for his deposition, answer any questions concerning non-privileged information, and assert any such privilege on a question-by-question basis.

After promising to appear, Mr. Meadows has now reversed course and resumed his contemptuous behavior.

Mr. Meadows's conduct in response to the Select Committee's subpoena constitutes a violation of the contempt of Congress statutory provisions.

The contempt of Congress statute 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 one year.

Further, the Supreme Court has 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 also recently reinforced this clear obligation by stating that "when Congress seeks information needed for intelligent legislative action, it unquestionably remains the duty of all citizens to cooperate."

DOJ's legitimacy and effectiveness depends on the public's confidence that its administration and enforcement of federal laws is done

impartially, free from actual or perceived partisan or political influence.

Mr. Speaker, the January 6 insurrection caused tragic loss of life and many injuries, while leaving behind widespread physical damage to the Capitol Complex and emotional trauma for Members, congressional employees, and the Capitol Police.

It bears repeating often that the Congress and the Nation owe undying gratitude to the men and women who answered the call of constitutional duty and heroically won the day on that bloody and deadly afternoon.

Mr. Speaker, the domestic terrorists and secessionists who attacked the Capitol Building on January 6, 2021 were not, as some of their ardent defenders and apologists across the aisle have stated falsely, on a “normal tour visit”; nor was their effort to lay siege to the Capitol and disrupt the processes of government an act of persons who love their country.

And it is absurd to suggest that it was a celebration of the United States and what it stands for when the leading edge of terrorists desecrated the Capitol by offensively parading the treasonous Confederate flag through the building and when, because of their insurrection, several members of law enforcement made the supreme sacrifice and scores more were seriously injured.

Mr. Speaker, we owe it not just to those who lost their lives on January 6th, but to all Americans to figure out what happened and how that day came to be.

We must understand that day in order to prevent the intended purpose of the January 6 insurrection—to disrupt the Joint Meeting of Congress to tally the votes of Presidential electors and announce the results to the Nation and the world—from every occurring again.

This attack on our Capitol Building was the greatest threat to the American experiment since the Civil War when the pro-slavery forces decided to wage war, rather than let the Nation survive, and the pro-freedom forces would accept war rather than let the Nation perish.

The Select Committee has diligently continued in their duty to determine the causes and events that transpired during the insurrectionist attack.

Specifically, the Select Committee's purposes include:

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 influencing factors that fomented such an attack on American representative democracy while engaged in a constitutional process.”

Understanding the full role that Mr. Meadows played in the events that led up to the January 6th attack is crucial to preventing anything like this from ever happening again.

Rather than comply with Congress' inherent powers, and help heal the trauma this Nation witnessed on January 6th, Mr. Meadows has simply refused to comply with the Select Committee's subpoena.

Mr. Speaker, this should not be a partisan issue; it is the very power of Congress to investigate matters of issue that is at stake.

For this reason, I rise in total support of the rule governing debate for H. Res. 851, “Recommending That The House of Representatives Find Jeffrey Bossert Clark 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.”

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

I thank the gentlewoman for her very insightful remarks. The committee has referred often to the passage that the gentlewoman identifies by the Supreme Court saying that a subpoena to come and testify is not an invitation to a game of hare and hounds. That is a little old-fashioned. Basically, the court is saying it is not a game of hide-and-seek or cat-and-mouse.

You are told to come and testify, and you must. That is what the vast majority of people have been doing in our investigation and the vast majority of Americans do all across the land when they are subpoenaed to come to court. It seems like a tiny handful of people who think that somehow they are above the law because they know a former President of the United States.

I am sorry, that is just not how our legal system works. We have no kings here, as Judge Chutkan emphasized at the district court in rejecting Donald Trump's claims against our committee. We have no kings here. Everyone is subject to the law. We have no nobles. We have no lords. Congress cannot award titles of nobility here. We are all equals, and we are all subject to the law. It is a crime in the District of Columbia not to comply with a subpoena, punishable by up to 1 year in jail and a \$100,000 fine. Very serious business. Now, if you think you have got some kind of legal privilege against testifying, like the marital privilege or the priest-penitent privilege or the doctor-patient privilege or the executive privilege, you come, you show up, you testify, and you invoke it as to a specific question.

Mr. Speaker, the reason why this case is overwhelmingly easy, we would argue 100 percent easy, is because we are talking about testimony by Mr. Meadows that he has been subpoenaed to give relating to 9,000 documents that he has already admitted are not privileged by the executive privilege or the Fifth Amendment or anything else. He has said, here, take them. This is evidence about what happened. And rightfully so did he do that.

I will express my personal disappointment that Donald Trump's explosive rage about the publication of Mr. Meadows' book occasioned some kind of change in his attitude about it, but regardless of his subjective attitude, he has a legal obligation to show up and to answer the questions of this committee.

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

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Mexico (Ms. HERRELL).

Ms. HERRELL. Mr. Speaker, today I rise in support of the Finish the Wall Act, for which I am a proud cosponsor.

By the end of this year, 2 million people will have tried to cross our borders illegally. That is more than or almost as many people as the State I represent. Hundreds of thousands have succeeded, and many thousands more are being released into our communities, never to return to an immigration status hearing.

When Border Patrol agents courageously tried to do their jobs against overwhelming odds, they were attacked by President Biden, who said that he would make them pay. That is not how we lead a country. That is not how we treat American heroes who keep us safe.

But past Presidents did not abandon our border. Under President Trump, 458 miles of border wall system were completed, with hundreds more fully funded. Of course, on his first day in office, President Biden sabotaged this important project and undermined the physical border security promised to the American people.

This is unacceptable. We must protect our country. We must protect our people. We must finish the wall.

This legislation would compel the White House and the Department of Homeland Security to do their jobs.

The funding is there. The plans are there. The materials are there. All we lack is leadership from the Oval Office. And until true leadership returns to the White House, the people's House will have to step in and solve the Biden border crisis.

I urge my colleagues to pass the Finish the Wall Act, keep our promises, and secure our borders.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume. I just want to emphasize that in his distinguished service in this Chamber, Mr. MEADOWS would never tolerate an executive official simply deciding to blow off a subpoena of the U.S. Congress. He said, “Whether you are a Republican or a Democrat, this kind of obstruction is wrong, period.”

He repeatedly complained about intransigence and delays by the executive branch. So I think he understands exactly why this is a matter of such gravity to our body.

Now, as I was saying, as a member, not just of the Rules Committee but also of the January 6th Select Committee, we have seen overwhelming participation and cooperation by the people we have called. Most people are doing their legal duty and their civic and patriotic duty by coming forward and voluntarily saying, here is what I know, and here is the information I have got to help you put together a report for the American people.

It just seems as we have gotten closer and closer to Donald Trump, that is where we are running into the obstructionism, as from Steve Bannon, as from Jeffrey Clark. And now we have got this problem we are in with Mark

Meadows, who had been on the path of cooperation, had turned over these thousands of documents, and now he is in the very awkward position of saying he is not going to testify about thousands of documents that he already turned over to us, which demonstrate how radically dangerous that day, in fact, was.

Let me just read a few more of the texts that Mr. Meadows disclosed to our committee: One text said, "We are under siege here at the Capitol." That came to him on January 6.

Another, "They have breached the Capitol."

"Mark, protesters are literally storming the Capitol. Breaking windows on doors. Rushing in. Is Trump going to say something?"

"We are all helpless."

Dozens of texts, including from Trump administration officials, urged immediate action by the President, "POTUS has to come out firmly and tell the protesters to dissipate. Someone is going to get killed."

And, of course, several people died on that day and within days of the attack on January 6.

In another, "Mark, he needs to stop this now."

A third in all caps, "TELL THEM TO GO HOME."

A fourth, and I quote, "POTUS needs to calm this"—expletive deleted, excrement—"down."

Multiple FOX News hosts themselves knew the President needed to act immediately. They texted Mr. Meadows. He turned over those texts to us. "Mark, President needs to tell people in the Capitol to go home. This is hurting all of us. He is destroying his legacy," wrote Laura Ingraham.

Brian Kilmeade texted, "Please get him on TV. Destroying everything you have accomplished."

Sean Hannity urged by text, "Can he make a statement? Ask people to leave the Capitol." And so on.

We need to find out what actions were taken in response to all of those entreaties from Members of Congress, from members of the media, from members of Trump's own family, what sequence of events took place afterwards.

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

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. GARBARINO.)

Mr. GARBARINO. Mr. Speaker, I rise today to urge the defeat of the previous question so we can immediately consider H.R. 2729, the Finish the Wall Act.

My colleague on the other side of the aisle said that there is no crisis at the southern border. I think the American people would disagree with her.

She says the administration has the solution. I wish they wouldn't keep it a secret.

The crisis at the southern border has reached a tipping point. Illegal border crossings at record highs, and yet this administration refuses to act.

I visited the southern border and saw for myself how bad things are. I also saw piles of building materials already paid for, sitting unused like rubble next to a partially built wall that desperately needs to be finished. The temporary fencing left in place is laughable. I could have walked right through the gaping holes and had myself a nice vacation.

Now, imagine you were on the other side of the fence, desperate to get to America where the President has assured you that you could stay, if only you made it to the other side. You would be pretty well motivated, and, thankfully, we have left the door open for them.

The wall is paid for; we just have to finish building it. This bill requires the Secretary of Homeland Security to resume construction of the border wall within 24 hours of enactment using funds Congress has already appropriated for building the wall.

The wall is more than just a fence. It includes sensors and technology the Border Patrol needs to effectively hold the line. The agents I spoke with at the border are doing everything they can to stop illegal crossings, but they are overwhelmed and under-equipped. Now drug smugglers, human traffickers, gangs, and terrorists are taking full advantage of this vulnerability.

While turning a blind eye to the dangers of our border crisis may serve this administration's agenda, it does not serve the American people, and it certainly doesn't serve my constituents. On Long Island, law enforcement continues to grapple with preventing MS-13 from getting a stronghold in our communities. But MS-13 gang members are emboldened by the policies of this administration and exploiting the crisis at our border to gain access to our country.

I urge this body to act and immediately consider H.R. 2729 to finish the border wall construction and help stop the influx of drugs, criminal activity, and gang violence that is brought by MS-13 into this country.

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

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

Mr. PFLUGER. Mr. Speaker, I rise today to defeat the previous question. I love this righteous discussion about law and order. It has been nearly 1 year of one-party rule for this country, and I speak for my constituents—I rise as a Texan—and countless others across the Nation who have whiplash from being tossed from one crisis to another crisis to yet another crisis caused by the policies, the misguided policies of this administration.

We are not changing the subject here. We are actually staying focused on the issues that matter to most Americans, the complete breakdown of respect for law enforcement and the rule of law. Since we are talking about the rule of law, the breakdown of the rule of law

has crime running rampant. We have heard about fentanyl; we have heard about the rising crime in communities like mine because of the open border that we have.

□ 1245

You know who doesn't show up for court orders? 99.9 percent of the illegal immigrants who are served those papers, they are the ones who don't show up, since we are talking about the rule of law.

We have Americans, as a matter of fact, that are still stranded behind enemy lines after President Biden's Afghanistan catastrophe. Communist China is enjoying their free pass after unleashing COVID-19 on the world and committing literal genocide on Uyghur Muslims in China. Millions of Americans are at risk of losing their jobs if they don't comply with the tyrannical mask mandate, a crippling national debt, an impending energy crisis, and an all-out humanitarian disaster on our border; those are the issues that we are not changing the subject on, we are actually focusing on.

But today, instead of addressing these crises, Democrats have recycled their old tricks and are wasting time trying to punish, yet again, President Trump.

You can only beat the same dead horse so many times.

Republicans are here to work, and it is long past time that action is taken to quell these crises. We are urging our Democratic colleagues to look at the crisis at hand. When is the last time that one of my colleagues on the other side of the aisle visited the border and can speak with any sort of authority that we don't have a crisis?

We need to stop illegal immigration. We need to finish the wall. We have got to secure this border.

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

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

Mrs. CAMMACK. Mr. Speaker, I rise today to urge my colleagues to help defeat the previous question and, for once and for all, address this lingering crisis that we know is, in fact, a crisis.

The travesties unfolding on our southwest border can no longer be ignored. And I know we know the facts. I know my colleagues on the other side of the aisle know the drugs that are pouring into our communities killing thousands as a direct result of the open border policy.

But few times have we seen or heard the stories of how people are actually being affected. Just a couple days ago, I received a text message from a Border Patrol agent. An American mother and her daughter were traveling and were killed in a head-on collision with an illegal smuggling six other illegals. They were evading, driving at a fast pace, and instead, killed a very young family. In his words, this Border Patrol agent said it was just a matter of time. This happens all the time.

That is unacceptable that it is just a matter of time. Well, it is just a matter of time before this body takes action, and it is probably going to be in about 12 months.

The broken policies of this administration have broken our families here in the United States. They are the true victims of President Biden and the Democrats in action. And it is stunning to hear and demoralize and to strip those that are trying to uphold the very law that they took an oath to protect. I wish my colleagues would do the same, because it is unacceptable to hear from our own that it is just a matter of time. It is just a matter of time before someone else gets killed or another family gets broken or someone else overdoses from the incredible amount of drugs that are pouring into our community.

But we have solutions, and we have resources. And that is why we need to continue to finish to build the wall, the force multiplier that our very own agents have said time and time again will save lives and prevent more tragedies.

That is why I urge my colleagues to help defeat the previous question so that we can do what we said we would do: Finish the wall.

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

The gentlewoman invokes the oath of office. Former President Trump swore an oath to uphold and defend our Constitution, and we have all of these tweets which clearly indicate he wasn't doing that.

H. Res. 503 authorizes and obligates our committee to get to the particulars and details of what took place on January 6, what were the causes behind it, and what do we need to do to defend ourselves in the future against these kinds of attacks on our election process, on the peaceful transfer of power, and on the workings of Congress.

That is what we are doing.

And with their January 6 case collapsing all around them, my colleagues now head for the border in their rhetoric, and I don't blame them for doing that. But they are not going to fool the American people. People understand exactly what is happening here.

The prior speaker said that it is a crime not to show up for a subpoena, and he said you know who does that, undocumented aliens. Well, then it is undocumented aliens, Steve Bannon, and Mark Meadows who are violating the law.

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

Mrs. FISCHBACH. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Mrs. MILLER).

Mrs. MILLER of Illinois. Mr. Speaker, the members of the January 6th Commission have turned this body into a star chamber, using the powers of Congress to persecute and bankrupt their political opponents.

Using political power to destroy your political opponents is evil and un-

American. We are not a banana republic.

Right now, the American people are suffering under the harsh economic realities of the Biden administration: Record-high inflation, record-high gas prices, record-high home heating bills, empty shelves at Christmas. COVID mandates and lockdowns continue to threaten our economy and our children's future.

What is the January 6th Commission's response to the suffering of the American people under Biden's policies? A never-ending political witch hunt against President Trump.

The January 6th Commission hates President Trump because he exposed the corruption of the D.C. establishment here in the swamp.

This January 6th Commission is a disgrace, and anyone who voted for it should be ashamed of themselves.

I urge a "no" vote on this rule.

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

Mrs. FISCHBACH. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Mexico (Ms. HERRELL).

Ms. HERRELL. Mr. Speaker, I rise today to ask my fellow Members of Congress to think about the reputation of this institution, the trust of the American people, and beyond their political passions of the moment.

I ask, frankly, for us to be statesmen.

Rather than focusing on inflation, jobs, or the border, our colleagues across the aisle are focused on this distraction.

House Democrats have now held or threaten to hold three Americans in contempt of Congress for refusal to comply with their arbitrary demands.

Democrats assured us that if their first target, Steve Bannon, had just shown up to be deposed, he would not have faced consequences. However, Mr. Bannon felt that this would violate former President Trump's executive privilege and raised questions to the committee in letters from his attorney.

Next, the January 6th Committee threatened Jeffrey Clark with contempt, holding a Rules Committee hearing for the contempt charge. This was based on Mr. Clark agreeing to appear but not saying exactly what the partisan political operatives of the committee wanted him to say, while Mr. Clark asserted his constitutional rights.

It is a staggering abuse of power for the House of Representatives to threaten someone for merely using the rights the Constitution affords them.

Now we reach my friend, Mark Meadows. He has cooperated, and provided thousands of pages of documents; however, Mr. Meadows, President Trump's chief of staff during January 6, invoked his executive privilege. In his opinion, his testimony about interactions with President Trump would erode all future use of executive privilege. Even after Mr. Meadows turned over texts, Democrats have now gone so far as to subpoena Verizon for Mr. Meadows' phone records.

Such naked scheming should stay in House of Cards and other TV shows, not in this Chamber.

What is the purpose of this? Is it not to secure the Capitol? It is a political exercise to exact political revenge against allies and employees of the former President.

This is about using the government to punish political adversaries. This is not an American practice but something akin to a banana republic on its way to tyranny. I urge a "no" vote.

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

Mrs. FISCHBACH. Mr. Speaker, I yield 4 minutes to the gentleman from North Carolina (Mr. BISHOP).

Mr. BISHOP of North Carolina. Mr. Speaker, I thank the gentlewoman for yielding.

I have no hesitancy to take on the distinguished gentleman from Maryland on the points that he has made. I would say first of all this: I hope that he will continue to read those text messages because they don't prove what he thinks they prove; quite the contrary.

I can't think of how many times the gentleman from California has spoken in derisive terms about Donald Trump, Jr., but Donald Trump Jr.'s tweets show that he was concerned about exactly the right things.

You don't see tweets coming from Republicans about bailing out violent rioters, abolishing police forces, or decrying the plight of Jussie Smollett.

I think the issue with the effort today before the body is how Democrats are dealing with the President's close counselor and the legal principles that arise therefrom, especially the constant and repeated threat of criminal prosecution in the face of an unresolved issue of privilege.

When you treat noncompliance as willful noncompliance, you mean there is a lack of good faith basis. But the record in this case in the House Report is replete with contentions over the nature and extent of the President's executive privilege.

The positions that are taken on Mr. Meadows' behalf are those that have been continually asserted by the Department of Justice; in fact, many others. Many other potential objections he has completely waived. He has not attempted to assert the fact that your subpoena is inquiring into legitimate First Amendment rights to associate, to speak, to petition for redress or in the absence of a legitimate legislative purpose.

And to the point repeated over and over by the gentleman from Maryland, the current position on privilege is entirely sensible. Mr. Meadows has produced those documents that are implicated by the current President's waiver of privilege, but he preserves that core part of privilege that President Trump is likely entitled to preserve; that is to say what he was told by one of his closest advisers.

Nothing illegitimate about it at all. What is illegitimate is the decision

made on how to deal with the counselor of a President, the representative of a coordinate branch of government.

The Democrats are setting a new bar. Even while the handwriting is on the wall, may you enjoy the fruits. Let the contempt resolutions and the criminal referrals flow freely and quickly as a river. Merrick Garland, Ron Klain, Hunter Biden, Chuck Dolan, Marc Elias, Andrew Weissmann, Alejandro Mayorkas. Let them come.

This is the choice that is being made by the Democrats.

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

Mrs. FISCHBACH. Mr. Speaker, I yield 1 minute to the gentlewoman from Georgia (Mrs. GREENE).

Mrs. GREENE of Georgia. Mr. Speaker, we have heard a lot about text messages. I would like the Democrats and the people on the January 6th Committee to produce their text messages, Mr. Speaker, denouncing antifa, BLM riots that raged across American cities for a year. I would love to read those.

But instead, we saw Democrats encourage, incite, and continue to call these riots peaceful. And then when they got arrested and put in jail, they bailed them out so they could go out and riot some more.

I rise in opposition to this resolution to hold Mark Meadows in contempt of Congress because it is being held by nothing but a kangaroo court.

Congress' job is to make laws, not enforce them. That is the role of the executive and the judicial branch of this government, but somehow the communists here in charge have forgotten—or, no, not forgotten—are purposely abusing the Constitution and what this body of Congress is supposed to do.

You see, when we go to this level to the point where we are forgetting and abusing what our power is, then the American people will trust us no more. And that is exactly what the January 6th Committee is doing.

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

□ 1300

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

Mr. Speaker, this select committee is clearly operating outside the realm of its intended purpose.

They do not like the information they are receiving, and they know they aren't getting anywhere. So, instead, they criminally punish those who they politically disagree with.

There isn't adequate minority representation, and because of that, the majority has been able to turn the committee into a vehicle to push their own narrative. It is clearly more interested in pursuing a partisan agenda to politicize the January 6 attack rather than conducting a legitimate, good-faith investigation into security failures leading up to that day.

Again, 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 crisis, reclaiming American energy production, and empowering U.S. citizens to live their lives without government interference.

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

Mr. Speaker, hundreds of people have come forward to testify about the violent and dangerous events of January 6, and there are just a handful of people, like Mr. Bannon and Mr. Meadows, who somehow think they are above the law.

We are not a banana republic because we hold everybody to equality under the law. And we are not communists, as the gentlewoman from Georgia suggested. Those are just the friends of the former President, who you lionize, like the dictator of North Korea, who he loves, and Vladimir Putin, who said that the greatest tragedy of the 20th century was the collapse of the Soviet Union. So, those are your friends. Don't put them on our side.

They are saying that the Select Committee on the January 6th Attack is out to persecute and bankrupt their opponents. On the contrary, we are out to write a report, under H. Res. 503, to the American people about the most violent, sweeping, and dangerous attack on the Republic since the Civil War or the War of 1812.

Mr. Bannon is raising money on it. Far from bankrupting Mr. Bannon, he is trying to get rich on it. And Mark Meadows has written a book where he tells all the stories he wants about January 6. It is just that he doesn't want to face the rule of law and the questions of this bipartisan committee, which is making tremendous progress in terms of getting the truth of what happened on that day.

Mr. Speaker, I recommend to all of my colleagues who invoked the rule of law today that they read the D.C. Circuit Court opinion, which obliterates every single argument that they have made about executive privilege. It is basically gone now because the way the law works is the people have a right to get the information we want unless there is a compelling interest on the other side. They haven't even pretended to invoke a compelling interest.

What is the compelling interest in being able to prepare an insurrection, a coup against the government? Is that what we want to establish a precedent for, that outgoing Presidents can try to organize an insurrection against the Vice President and encourage people who go out and stage a riot against the Vice President of the United States and the Congress? I don't think so.

Mr. Speaker, a couple of the speakers said it was absence of legislative purpose. This is the central purpose of our government, to make the government

survive and to go out and serve the people. That is what this committee is doing.

Mr. Speaker, he is in contempt. I urge a "yes" vote on the rule and the previous question.

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

AMENDMENT TO HOUSE RESOLUTION 848

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. 2729) to immediately resume construction of the border wall system along the international border between the United States and Mexico to secure the border, enforce the rule of law, and expend appropriated funds as mandated by Congress, and for other purposes. 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 Homeland Security; and (2) one motion to recommit.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 2729.

Mr. RASKIN. 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 yeas appeared to have it.

Mr. RASKIN. 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.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 854. An act to designate methamphetamine as an emerging threat, and for other purposes.

S. 2959. An act to provide that, due to the disruptions caused by COVID-19, applications for impact aid funding for fiscal year 2023 may use certain data submitted in the fiscal year 2022 application.

S. 3377. An act to empower the Chief of the United States Capitol Police to unilaterally request the assistance of the DC National Guard or Federal law enforcement agencies in emergencies without prior approval of the Capitol Police Board.

PROVIDING FOR CONSIDERATION OF H.R. 5665, COMBATING INTERNATIONAL ISLAMOPHOBIA ACT

Mr. MCGOVERN. Mr. Speaker, by direction of the Committee on Rules, I