

The PRESIDENT pro tempore. The House managers.

Mr. Manager RASKIN. Mr. President, Senators, thank you for this excellent question.

Wouldn't a President who decides to commit his crimes in the last few weeks in office, like President Trump by inciting the insurrection against the counting of electoral college votes, be subject to criminal prosecution by the U.S. attorney for the District of Columbia, for example, the Department of Justice?

Well, of course he would be, but that is true of the President regardless of when he commits his offense in office. In other words, that is an argument for prosecuting him if he tried to stage an insurrection against the Union in his third year in office or his second year in office. You could say, well, he could be prosecuted afterwards.

The reason that the Framers gave Congress—the House the power to impeach; the Senate the power to try, convict, remove, and disqualify, was to protect the Republic. It is not a vindictive power.

I know a lot of people are very angry with Donald Trump about these terrible events that took place. We don't come here in anger, contrary to what you heard today. We come here in the spirit of protecting our Republic, and that is what it is all about. But their January exception would essentially invite Presidents and other civil officers to run rampant in the last few weeks in office on the theory that the House and the Senate wouldn't be able to get it together in time—certainly according to their demands for months and months of investigation—wouldn't be able to get it together in time in order to vindicate the Constitution. That can't be right. That can't be right.

We know that the peaceful transfer of power is always the most dangerous moment for democracies around the world. Talk to the diplomats. Talk to the historians. They will tell you that is a moment of danger. That is when you get the coups. That is when you get the insurrections. That is when you get the seditious plots. And you know what, you don't even have to read history for that. You don't even have to consult the Framers. You don't have to look around the world. It just happened to us. The moment when we were just going to collect the already-certified electoral college votes from the States by the popular majorities within each State—except for Maine and Nebraska, which do it by congressional district as well as statewide, but otherwise, it is just the popular majorities in the States. And we were about to certify it, and we got hit by a violent, insurrectionary mob.

Don't take our word for it. Listen to the tapes, unless they are going to claim those are fabricated too. And the people are yelling: "This is our house now" and "Where are the 'blank' votes at?" and "Show us the votes," et cetera.

The PRESIDENT pro tempore. The time is up.

Mr. Manager RASKIN. Thank you. The PRESIDENT pro tempore. The majority leader.

Mr. SCHUMER. Mr. President, it is my understanding that there are no further questions on either side.

The PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. That is correct. I know of no further questions on our side.

Mr. SCHUMER. I ask unanimous consent that the time for questions and answers be considered expired.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SCHUMER. Now, Mr. President, I ask unanimous consent that it be in order for myself and Senator McCONNELL to speak for up to 1 minute each and then it be in order for me to make a unanimous consent request as if in legislative session.

The PRESIDENT pro tempore. Without objection, it is so ordered.

OFFICER EUGENE GOODMAN CONGRESSIONAL GOLD MEDAL ACT

Mr. SCHUMER. Mr. President, in a moment I will ask the Senate to pass legislation that would award Capitol Police Officer Eugene Goodman the Congressional Gold Medal.

In the weeks after the attack on January 6, the world learned about the incredible, incredible bravery of Officer Goodman on that fateful day.

Here in this trial, we saw new video, powerful video showing calmness under pressure, his courage in the line of duty, his foresight in the midst of chaos, and his willingness to make himself a target of the mob's rage so that others might reach safety.

Officer Goodman is in the Chamber tonight.

Officer Goodman, thank you. (Applause, Senators rising.)

The PRESIDENT pro tempore. The Republican leader.

Mr. SCHUMER. Leader McCONNELL.

Mr. McCONNELL. Oh, I am sorry.

Mr. SCHUMER. I just want to say I think we can all agree that Eugene Goodman deserves the highest honor Congress can bestow. But before we move to pass this legislation, I want to be clear that he was not alone that day. The Nation saw and has now seen numerous examples of the heroic conduct of the Capitol Police, the Metropolitan Police, and the SWAT teams that were with us on January 6 here in the Capitol, protecting us. Our heartfelt gratitude extends to each and every one of them, particularly now as members of the force continue to bear scars, seen and unseen, from the events of that disgraceful day. Let us give them all the honor and recognition they so justly deserve.

(Applause, Senators rising.)

The PRESIDENT pro tempore. The Republican leader.

Mr. McCONNELL. Mr. President, I am pleased to join the majority leader's request.

January 6 was a day of fear for those who work here in the Capitol and of sadness for many more watching from afar, but that awful day also introduced our Nation to a group of heroes whom we in Congress were already proud to call our colleagues and to whom we owe a great debt.

In the face of lawlessness, the officers of the U.S. Capitol lived out the fullest sense of their oaths. If not for the quick thinking and bravery of Officer Eugene Goodman in particular, people in this Chamber may not have escaped that day unharmed. Officer Goodman's actions reflect a deep personal commitment to duty and brought even greater distinction upon all of the brave brothers and sisters in uniform. So I am proud the Senate has taken this step forward, recognizing his heroism with the highest honor we can bestow.

(Applause, Senators rising.)

Mr. SCHUMER. Mr. President, as if in legislative session, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 35 and that the Senate proceed to its immediate consideration.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 35) to award a Congressional Gold Medal to Officer Eugene Goodman.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the Van Hollen substitute amendment which is at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment (No. 890) in the nature of a substitute was agreed to, as follows:

[Purpose: In the nature of a substitute]

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Officer Eugene Goodman Congressional Gold Medal Act".

SEC. 2. FINDINGS.

The Congress finds the following:

(1) On January 6, 2021, the United States Capitol Building was attacked by armed insurrectionists.

(2) Members of the United States Capitol Police force were overrun and insurrectionists breached the Capitol at multiple points.

(3) Around 2:14 in the afternoon, United States Capitol Police Officer Eugene Goodman confronted an angry group of insurrectionists who unlawfully entered the Capitol, according to video footage taken by Igor Bobic, a reporter with the Huffington Post.

(4) Officer Goodman, alone, delayed the mob's advance towards the United States Senate Chamber and alerted his fellow officers to the location of the insurrectionists.

(5) Upon reaching a second floor corridor, Officer Goodman noticed the entrance to the Senate Chamber was unguarded.

(6) As the mob approached, Officer Goodman intentionally diverted attention away from the Senate entrance and led the mob to an alternate location and additional awaiting officers.

(7) At 2:15 in the afternoon, a Washington Post reporter from inside the Senate Chamber noted "Senate sealed" with Senators, staff, and members of the press inside.

(8) Officer Eugene Goodman's selfless and quick-thinking actions doubtlessly saved lives and bought security personnel precious time to secure and ultimately evacuate the Senate before the armed mob breached the Chamber.

(9) Amidst a shocking, unpatriotic attack on the Capitol, Officer Goodman's heroism is recognized not only by Members of Congress and staff but also by the people of the United States they represent.

(10) By putting his own life on the line and successfully, single-handedly leading insurrectionists away from the floor of the Senate Chamber, Officer Eugene Goodman performed his duty to protect the Congress with distinction, and by his actions, Officer Goodman left an indelible mark on American history.

(11) Officer Goodman's actions exemplify the heroism of the many men and women who risked their lives to defend the Capitol on January 6, 2021.

SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) **PRESENTATION AUTHORIZED.**—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design to Officer Eugene Goodman.

(b) **DESIGN AND STRIKING.**—

(1) **IN GENERAL.**—For the purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the "Secretary") shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(2) **IMAGE AND NAME.**—The design shall bear an image of, and inscription of the name of, Officer Eugene Goodman.

SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck pursuant to section 3 under such regulations as the Secretary may prescribe, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses.

SEC. 5. STATUS OF MEDALS.

(a) **NATIONAL MEDALS.**—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) **NUMISMATIC ITEMS.**—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

The bill (S. 35), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

(The bill, as amended, will be printed in a future edition of the RECORD.)

MORNING BUSINESS

SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS RULES OF PROCEDURE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the following committee rules be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

PATTY MURRAY, CHAIR

RULES OF PROCEDURE (AS AGREED TO FEBRUARY 11, 2021)

Rule 1.—Subject to the provisions of rule XXVI, paragraph 5, of the Standing Rules of the Senate, regular meetings of the committee shall be held on the second and fourth Wednesday of each month, at 10:00 a.m., in room SD-430, Dirksen Senate Office Building. The chair may, upon proper notice, call such additional meetings as she may deem necessary.

Rule 2.—The chair of the committee or of a subcommittee, or if the chair is not present, the ranking majority member present, shall preside at all meetings. The chair may designate the ranking minority member to preside at hearings of the committee or subcommittee.

Rule 3.—Meetings of the committee or a subcommittee, including meetings to conduct hearings, shall be open to the public except as otherwise specifically provided in subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate.

Rule 4.—(a) Subject to paragraph (b), one-third of the membership of the committee, actually present, shall constitute a quorum for the purpose of transacting business. Any quorum of the committee which is composed of less than a majority of the members of the committee shall include at least one member of the majority and one member of the minority.

(b) A majority of the members of a subcommittee, actually present, shall constitute a quorum for the purpose of transacting business: provided, no measure or matter shall be ordered reported unless such majority shall include at least one member of the minority who is a member of the subcommittee. If, at any subcommittee meeting, a measure or matter cannot be ordered reported because of the absence of such a minority member, the measure or matter shall lay over for a day. If the presence of a member of the minority is not then obtained, a majority of the members of the subcommittee, actually present, may order such measure or matter reported.

(c) No measure or matter shall be ordered reported from the committee or a subcommittee unless a majority of the committee or subcommittee is physically present.

Rule 5.—With the approval of the chair of the committee or subcommittee, one member thereof may conduct public hearings other than taking sworn testimony.

Rule 6.—Proxy voting shall be allowed on all measures and matters before the committee or a subcommittee if the absent member has been informed of the matter on which he is being recorded and (1) has affirmatively requested that he be so recorded. While proxies may be voted on a motion to report a measure or matter from the committee, such a motion shall also require the concurrence of a majority of the members who are actually present at the time such action is taken.

The committee may poll any matters of committee business as a matter of unanimous consent; provided that every member is polled and every poll consists of the following two questions:

(1) Do you agree or disagree to poll the proposal; and

(2) Do you favor or oppose the proposal.

Rule 7.—There shall be prepared and kept a complete transcript or electronic recording

adequate to fully record the proceedings of each committee or subcommittee meeting or conference whether or not such meetings or any part thereof is closed pursuant to the specific provisions of subsections (b) and (d) of rule 26.5 of the Standing Rules of the Senate, unless a majority of said members vote to forgo such a record. Such records shall contain the vote cast by each member of the committee or subcommittee on any question on which a "yea and nay" vote is demanded, and shall be available for inspection by any committee member. The clerk of the committee, or the clerk's designee, shall have the responsibility to make appropriate arrangements to implement this rule.

Rule 8.—The committee and each subcommittee shall undertake, consistent with the provisions of rule XXVI, paragraph 4, of the Standing Rules of the Senate, to issue public announcement of any hearing or executive session it intends to hold at least one week prior to the commencement of such hearing or executive session. In the case of an executive session, the text of any bill or joint resolution to be considered must be provided to the chair for prompt electronic distribution to the members of the committee.

Rule 9.—The committee or a subcommittee shall require all witnesses heard before it to file written statements of their proposed testimony at least 24 hours before a hearing, unless the chair and the ranking minority member determine that there is good cause for failure to so file, and to limit their oral presentation to brief summaries of their arguments. Testimony may be filed electronically. The presiding officer at any hearing is authorized to limit the time of each witness appearing before the committee or a subcommittee. The committee or a subcommittee shall, as far as practicable, utilize testimony previously taken on bills and measures similar to those before it for consideration.

Rule 10.—Should a subcommittee fail to report back to the full committee on any measure within a reasonable time, the chair may withdraw the measure from such subcommittee and report that fact to the full committee for further disposition.

Rule 11.—No subcommittee may schedule a meeting or hearing at a time designated for a hearing or meeting of the full committee. No more than one subcommittee executive meeting may be held at the same time.

Rule 12.—It shall be the duty of the chair in accordance with section 133(c) of the Legislative Reorganization Act of 1946, as amended, to report or cause to be reported to the Senate, any measure or recommendation approved by the committee and to take or cause to be taken, necessary steps to bring the matter to a vote in the Senate.

Rule 13.—Whenever a meeting of the committee or subcommittee is closed pursuant to the provisions of subsection (b) or (d) of rule 26.5 of the Standing Rules of the Senate, no person other than members of the committee, members of the staff of the committee, and designated assistants to members of the committee shall be permitted to attend such closed session, except by special dispensation of the committee or subcommittee or the chair thereof.

Rule 14.—The chair of the committee or a subcommittee shall be empowered to adjourn any meeting of the committee or a subcommittee if a quorum is not present within fifteen minutes of the time schedule for such meeting.

Rule 15.—Whenever a bill or joint resolution shall be before the committee or a subcommittee for final consideration, the clerk