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6 MARKUP OF

7 H.R. 1843, THE "COVID -- 19 HATE

8 CRIMES ACT"; H.R. 2383, "NATIONAL

9 OPPOSITION TO HATE, ASSAULT, AND THREATS TO

10 EQUALITY ACT OF 2021"; H.R. 2393, "NO OIL

11 PRODUCING AND EXPORTING CARTELS ACT OF

12 2021" OR "NOPEC"; H.R. 704, THE "ARTISTIC

13 RECOGNITION FOR TALENTED STUDENTS ACT" OR

14 THE "ARTS ACT"; H.R. 2453, THE "DRIVING

15 FOR OPPORTUNITY ACT OF 2021".

16 Tuesday, April 20, 2021

17 House of Representatives,

18 Committee on the Judiciary,

19 Washington, D.C.

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23 The committee met, pursuant to call, at 10:11 a.m., in Room

24 2141, Rayburn House Office Building, Hon. Jerrold Nadler

25 [chairman of the committee] presiding.

26 Members present: Representatives Nadler, Dean, Lofgren,
27 Jackson Lee, Cohen, Johnson of Georgia, Bass, Jeffries,
28 Cicilline, Swalwell, Lieu, Raskin, Jayapal, Demings, Correa,
29 Scanlon, Garcia, Neguse, McBath, Stanton, Escobar, Jones, Ross,
30 Bush, Jordan, Chabot, Gohmert, Issa, Buck, Gaetz, Johnson of
31 Louisiana, Biggs, McClintock, Steube, Tiffany, Massie, Roy,
32 Bishop, Fischbach, Spartz, Fitzgerald, Bentz, and Owens.

33 Staff present: Perry Apelbaum, Staff Director and Chief
34 Counsel; Aaron Hiller, Deputy Chief Counsel; David Greengrass,
35 Senior Counsel; John Doty, Senior Advisor; Madeline Strasser,
36 Chief Clerk; Moh Sharma, Member Services and Outreach Advisor;
37 Priyanka Mara, Professional Staff Member; Jordan Dashow,
38 Professional Staff Member; Cierra Fontenot, Staff Assistant; John
39 Williams, Parliamentarian; Slade Bond, Chief Counsel for ACAL;
40 Phillip Berenbroick, Counsel for ACAL; Will Emmons, Professional
41 Staff Member for Constitution; Jamie Simpson, Chief Counsel for
42 Courts & IP; Ben Hernandez-Stern, Counsel for Crime; Joe
43 Graupensperger, Chief Counsel for Crime; Katy Rother, Minority
44 Deputy General Counsel and Parliamentarian; Ella Yates, Minority
45 Member Services Director; Jason Cervenak, Minority Chief Counsel
46 for Crime; Douglas Geho, Minority Chief Counsel for
47 Administrative Law; Ken David, Minority Counsel; Andrea Woodard,
48 Minority Professional Staff Member; and Kiley Bidelman, Minority

50 Chairman Nadler. The Judiciary Committee will please come
51 to order, a quorum being present. Without objection, the chair
52 is authorized to declare a recess at any time.

53 Pursuant to Committee Rule 2 and House Rule 11 Clause 2,
54 the chairman postpones further proceedings today on the question
55 of approving any measure or matter or adopting an amendment for
56 which a recorded vote for the yeas and nays is order.

57 I would like to remind members that we have established an
58 email address and distribution list dedicated to circulating
59 amendments, exhibits, motions, or other written materials that
60 members might want to offer as part of our markup today. If you
61 would like to submit materials, please send them to the email
62 address that has been previously distributed to your offices and
63 we will circulate the materials to members and staff as quickly
64 as we can.

65 I would also remind all members that guidance from the Office
66 of Attending Physicians states that face mask coverings are
67 required in all meetings in an enclosed space such as a committee
68 markups including when speaking.

69 Finally, I would ask all members, both those in person and
70 those appearing remotely, should mute your microphones when you
71 are not speaking. This will help prevent feedback and other
72 technical issues. You may unmute yourself at any time you seek
73 recognition.

74 Before we begin, I want to announce that we will not mark
75 up H.R. 1843, the COVID-19 Hate Crimes Act or H.R. 2383, the
76 Jabara-Heyer NO HATE Act today. The committee has scheduled
77 these bills for mark up because it is crucially important they
78 be enacted soon in order to address the alarming rise in hate
79 crimes against members of various minority groups over the last
80 few years, including most recently the stark and troubling
81 increase in hate crimes and hate incidents against Asian Americans
82 many of whom have been unfairly blamed for the COVID-19 pandemic.

83 The Senate is currently in the process of considering these
84 bills and may vote on them later this week. Given that ongoing
85 process we have chosen to postpone markup of these bills for now
86 and we will await to see what results in the Senate process before
87 determining the best steps forward.

88 Pursuant to notice, I now call up H.R. 2393, the No Oil
89 Producing and Exporting Cartels Act of 2021 or NOPEC for purposes
90 of markup and move that the committee report the bill favorably
91 to the House. The Clerk will report the bill.

92 [The Bill H.R. 2393 follows:]

93

94 *****COMMITTEE INSERT*****

95 Mr. Valdez. H.R. 2393 to amend the Sherman Act to make oil
96 producing and exporting cartels --

97 Chairman Nadler. Without objection the bill is considered
98 as read and open to amendment at any point. I will begin by
99 recognizing myself for an opening statement.

100 The Organization of the Petroleum Exporting Countries, or
101 OPEC, is an international cartel whose members deliberately
102 collude to limit crude oil production as a means of fixing prices,
103 unfairly driving up the price of crude oil to satisfy the degree
104 of oil it produces. They have gotten away with this for over
105 50 years. Such behavior if done by private companies would be
106 illegal per se under U.S. antitrust law. Because of the series
107 of court decisions, however, our nation's antitrust enforcers
108 are unable to protect the American consumers or businesses from
109 the direct harm caused by OPEC's blatantly anti-competitive
110 conduct.

111 H.R. 2393, the No Oil Producing and Exporting Cartels Act
112 or NOPEC, addresses these decisions by expressly authorizing the
113 Justice Department to pursue antitrust enforcement actions
114 against OPEC members should it choose to do so and by ensuring
115 that American courts of jurisdiction to hear such cases.

116 I am pleased to join my colleagues, Congressman Chabot, as
117 an original cosponsor of this legislation, along with Antitrust
118 Subcommittee Chairman Cicilline. NOPEC would amend the Sherman

119 Antitrust Act to add a new section that explicitly makes it illegal
120 for any foreign state to act collectively with others to limit
121 production, fix prices, or otherwise restrain trade with respect
122 to oil, natural gas, or other petroleum products. This provision
123 could be enforced only by the Justice Department.

124 The bill also creates an exemption under the Foreign
125 Sovereign Immunities Act to allow litigation against foreign
126 countries to the extent that they are engaged in price fixing
127 and other anti-competitive activities in violation of this new
128 section.

129 Finally, this legislation clarifies that the active state
130 doctrine which generally disfavors judicial review of certain
131 actions by foreign governments does not prevent courts from
132 deciding antitrust cases brought against foreign governments
133 under this act. NOPEC strikes an appropriate balance between
134 allowing aggressive enforcement of U.S. antitrust law against
135 OPEC to keep oil prices in check and respecting the separation
136 of powers by deferring to the Executive Branch whether litigation
137 is appropriate in any given case is light of foreign policy and
138 national security concerns.

139 OPEC controls about 80 percent of global oil reserves, 40
140 percent of the world's oil production, and more than 60 percent
141 of the petroleum that is traded internationally. When acting
142 collectively, OPEC countries can greatly influence crude oil

143 prices. This effort to increase crude oil prices directly
144 impacts American consumers because the price of crude oil is the
145 largest single determinant of retail prices. According to one
146 estimate, crude oil prices accounted for 56 percent of the cost
147 of retail gasoline as recently as February 2021. And the retail
148 price of gasoline touches almost every aspect of Americans' daily
149 lives from the cost of commuting to the price of food and almost
150 every consumer good to the extent that such prices reflect
151 transportation expenses.

152 High gas prices, in addition to raising these costs and
153 cutting into Americans' income, it also causes vicious cycles
154 of negative economic effects. For example, when higher prices
155 cause consumers to cut back on purchases and limit their travel,
156 businesses lose revenue and it may be forced to lay off employees
157 or to limit their employees' salaries. This, in turn, releases
158 another loop of negative economic effect as those employees have
159 less money in their pockets to spend.

160 I support NOPEC because it would provide the Federal
161 Government with an important tool to address unfair retail gas
162 prices. This legislation was unanimously reported out of the
163 committee last Congress and I look forward to its passage again
164 this Congress.

165 I thank Mr. Chabot for introducing this bipartisan
166 legislation and I urge my colleagues to support the bill. I yield

167 back the balance of my time.

168 I now recognize the distinguished Ranking Member of the
169 Judiciary Committee, the gentleman from Ohio, Mr. Jordan, for
170 his opening statement.

171 Mr. Jordan. Thank you, Mr. Chairman. Look, this is a good
172 piece of legislation. For those of us who have been around a
173 term or two, we probably have all supported this in the past.

174 It is the fundamental belief that monopolies are bad and free
175 markets and competition are good. And I would argue fundamental
176 to healthy capitalism.

177 So Mr. Chabot has done a good job, along with you, Mr.
178 Chairman, on this legislation. I think it is something we should
179 support and I will yield back my time and wait for the gentleman
180 from Ohio, the other gentleman from Ohio to talk about his bill
181 in just a few minutes. With that, I yield back.

182 Chairman Nadler. Thank you. I now recognize the chair of
183 the Subcommittee on Antitrust Commercial Administrative Law, the
184 gentleman from Rhode Island, Mr. Cicilline, for his opening
185 statement.

186 Mr. Cicilline. Thank you, Mr. Chairman. Since 1960, the
187 Organization of the Petroleum Exporting Countries, or OPEC, has
188 colluded to manipulate the supply and price of crude oil with
189 total impunity under our laws. In recent years, OPEC members
190 have entered into an anti-competitive agreement with 11 non-OPEC

191 countries including Russia to manipulate oil prices by reducing
192 production. In other words, this means that working people in
193 our country end up paying more for gas or heat for their homes.
194 Cartel behavior like this is considered a hard core criminal
195 violation of the antitrust laws because it is an explicit
196 agreement to collude in order to fix prices, reduce output, or
197 allocate markets.

198 The Supreme Court has referred to this anti-competitive
199 conduct, which has no pro-competitive justification, as the
200 supreme evil of antitrust. But unlike other cartels, foreign
201 oil cartels are free to engage in anti-competitive conduct to
202 fix the price of oil due to legal doctrines of sovereign immunity
203 and act of state which place firm limitations of the judicial
204 process when it comes to resolving legal disputes with foreign
205 governments. It is time for this to end.

206 I am proud to join Congressman Chabot as a lead Democratic
207 cosponsor of the NOPEC Act. This legislation will give
208 meaningful relief to millions of Americans by authorizing the
209 Justice Department to investigate and prosecute foreign oil
210 cartels. It would do so by clarifying that commercial activity
211 by other countries to limit the production or set the price of
212 oil and other petroleum products as not exempt under the Foreign
213 Sovereignty Immunity Act or judicial doctrines.

214 While I strongly support the goals of NOPEC, it is also

215 important to keep several caveats in mind as we consider this
216 legislation. First, merely removing barriers to antitrust
217 enforcement against foreign oil cartels by the Justice Department
218 as this bill would do, does not compel law enforcement in this
219 area or constrain the Department's enforcement strategy.
220 Instead, the NOPEC Act authorizes the Department to investigate
221 and potentially bring these types of cases which alone may be
222 enough to discourage collusion by foreign oil cartels. To put
223 it another way, this bill gives the Executive Branch a tool to
224 speak softly and carry a big stick.

225 Second, this legislation is designed to serve as a
226 complement, not a substitute, to diplomacy and thoughtful
227 engagement of OPEC members and other countries that collude to
228 withhold oil supply. The NOPEC Act is not an invitation for any
229 administration either Republican or Democratic, to politicize
230 antitrust enforcement or pick geopolitical winners or losers.

231 And finally, antitrust enforcement alone is not a silver
232 bullet to lowering oil prices. It must be a national priority
233 to deploy and expand our capacity for clean energy production.

234 In closing, I thank Congressman Chabot, Chairman Nadler,
235 for their commitment to taking on foreign oil cartels through
236 consideration of the NOPEC Act. This legislation is a testament
237 to the committee's long standing, bipartisan tradition of
238 investigating and addressing anticompetitive conduct that harms

239 working families. I look forward to continuing this work with
240 my colleagues to ensure that our economy is working for everyone
241 and I yield back the balance of my time.

242 Chairman Nadler. The gentleman yields back. Without
243 objection, all other opening statements will be included in the
244 record and I recognize Mr. Chabot for the purpose of explaining
245 his bill.

246 Mr. Chabot. Thank you, Mr. Chairman, and I want to first
247 thank you, Chairman Nadler, and Ranking Member Jordan, for your
248 support of this common sense legislation to stop anti-competitive
249 behavior in the overseas oil market. And I want to especially
250 thank Mr. Cicilline for being the lead Democratic sponsor of this
251 bill this year and thank him for his support in the past as well.

252 I first introduced this legislation back in 2000, along with
253 the late John Conyers, and have reintroduced it numerous times
254 over the years. Last year, as you mentioned, Mr. Chairman, we
255 were able to report it out favorably out of this committee and
256 I hope this year we can finally get it to this President's desk.

257 When Mr. Conyers and I first introduced this legislation
258 more than two decades ago, gas prices at that time were climbing
259 towards \$3 a gallon and would eventually take it over \$4 a gallon
260 in 2008. In recent years, our nation has done a much better job
261 reducing our dependence on foreign sources of oil by increasing
262 domestic production. Consequently, we have had lower gas prices

263 for a number of years now. However, we are still subject to
264 fluctuations in the global market. Lower prices have upset oil
265 cartels around the globe, and now OPEC is ramping up its
266 price-gouging efforts once again.

267 It is high time that we do more to fight this arbitrary
268 production control that continue to keep the price of crude oil
269 and gasoline arbitrarily high in the United States. The average
270 U.S. household spends over \$2,000 a year on gasoline. And back
271 in my district in Cincinnati and Warren County, that is a big
272 chunk of change, a big chunk of a paycheck. Within that 60 percent
273 of the world's oil is controlled by OPEC nations, my constituents
274 and many American consumers often have difficulty reliably
275 budgeting for fuel expenses when the cost for filling up their
276 cars and trucks can fluctuate wildly subject to OPEC's arbitrary
277 price control.

278 As the former chairman and ranking member of the House Small
279 Business Committee, I would further note the impact that rising
280 gas prices have on small businesses. As the price of gas
281 increases, so too does the price of shipping goods throughout
282 the U.S. putting pressure an already razor thin bottom line and
283 ultimately having a negative impact on our overall economy.

284 International oil cartels regularly manipulate the price
285 of crude oil by limiting production, thereby driving gasoline
286 prices arbitrarily high in the U.S. Ultimately, this legislation

287 allows us to fight back against such artificial market
288 manipulation by holding foreign countries and entities
289 accountable for violating U.S. antitrust law. This legislation
290 is straight forward. It authorizes the attorney general, and
291 only the attorney general, to bring suit against oil cartel
292 nations and entities for anti-competitive behavior in federal
293 court.

294 Further, it ensures that nations will have to defend their
295 actions in anti-competitive behavior by removing their ability
296 to use act of state, foreign sovereign compulsion, or political
297 question doctrine as defenses or assert sovereign immunity in
298 such cases. It is only by threat of being held liable in U.S.
299 courts for their manipulation of crude oil prices that we can
300 truly put an end to OPEC's unlawful actions. It is high time
301 that we pass NOPEC and finally hold OPEC accountable for its price
302 gouging and anti-competitive behavior.

303 I urge my colleagues to support this bipartisan legislation
304 on both sides of the aisle and with that, I yield back.

305 Chairman Nadler. The gentleman yields back. Are there any
306 amendments to H.R. 2393?

307 Does anyone seek recognition?

308 Mr. Tiffany. Mr. Chairman.

309 Chairman Nadler. For what purpose does Mr. Tiffany seek
310 recognition?

311 Mr. Tiffany. Mr. Chairman, I rise in support of the bill.

312 Chairman Nadler. The gentleman is recognized.

313 Mr. Tiffany. Thank you, Mr. Chairman. I rise in support
314 of this bill because it is going to become even more important
315 as the years go by here that this be put in place because OPEC
316 and other conglomerates like that, other organizations that are
317 set up in violation of antitrust laws are going to become more
318 powerful in the energy sector. And that is because of actions
319 that were taken, for example, on January 20th when the Keystone
320 Pipeline was shut down here in the United States of America as
321 we have seen federal lands for drilling re-shutdown here in the
322 United States.

323 One of the greatest accomplishments of this country in the
324 last decade has been to gain energy independence. That is
325 ultimately what has made OPEC toothless. And we will put the
326 fangs back in OPEC if we continue on the path that the Biden
327 Administration has taken here to shut down the infrastructure,
328 like Keystone, to transport oil, to shut down the production,
329 to shut down processing. We know those things that have happened
330 and we have seen the plan that has come forth, things like the
331 Green New Deal that make it very clear that America will become
332 more dependent on other countries.

333 So Mr. Chairman, I think about the comments that you just
334 shared, the negative impacts of having higher energy costs. You

335 are absolutely correct. Less money for consumers out there,
336 whether it is for healthcare, for schools, for whatever they
337 choose to do, they will have less money as a result of rising
338 oil prices.

339 And I think about the chair of the subcommittee, the
340 gentleman from Rhode Island. He talks about a national priority.

341 This was a national priority for the last decade and I would
342 say for decades for us to become energy independent in America
343 and that is now being jeopardized.

344 Unfortunately, and I will vote for this bill, and I think
345 it is an important bill, unfortunately, it may be needed more
346 now than ever as America's energy independence is jeopardized.
347 I yield back.

348 Chairman Nadler. The gentleman yields back. Does anyone
349 else seek recognition?

350 For what purpose does Mr. Roy seek recognition? The
351 gentleman is recognized. Put on your mic.

352 Mr. Roy. Thank you, Mr. Chairman. I rise in camaraderie
353 with my colleague and the statements that he just made that I
354 find it interesting that we are here in some amount of agreement
355 on this legislation on a consensus that OPEC is operating as a
356 cartel is not a good thing for the United States and our domestic
357 and national security. But yet, we are sitting here on the
358 precipice of a Green New Deal, so called, and we have already

359 seen direct assault on the very policies that have made America
360 the world leader in oil and natural gas.

361 And I would remind my colleagues on the other side of the
362 aisle that these assaults on pipelines, these assaults on small
363 businesses and oil and gas operators in Texas, the assaults on
364 restricting access to federal lands, the assaults on offshore
365 drilling by the Biden Administration and then whatever may or
366 may not be being proposed in the so-called Green New Deal risks
367 destroying the life blood of our nation and our economy. And
368 it is, in fact, this leadership in the world in oil and natural
369 gas that has driven CO2 levels down by virtue of innovation and
370 clean burning natural gas. We know that. The evidence is there.

371 America's CO2 levels are down to 1990 levels. And that has been
372 driven predominantly, not fully, predominantly, by access to
373 clean burning natural gas throughout innovation in our
374 production.

375 And I would submit that we ought to be focusing rather than
376 clamping down on oil production, we ought to be radically
377 increasing American production, radically encouraging American
378 oil and gas production and exploration, exploitation of liquefied
379 natural gas, China and India, which are demonstrably producing
380 far more CO2 on a relative basis. They are growing their CO2
381 production. And we would have the ability to change that.

382 But instead, we are adopting radical, leftist policies that

383 would undermine the very strength of our oil and natural gas
384 industry at a time when we desperately need it. We desperately
385 need it to be a stronger position in the world economically, but
386 also as we come out from COVID, as we want to build growth, create
387 economic opportunity, create jobs literally would be the exact
388 opposite thing of doing that is what the Administration is doing
389 by throwing all of these regulations, all of these taxes, all
390 of these limitations on the strength and the backbone of our oil
391 and natural gas industry.

392 So I would submit that we ought to embrace legislation, such
393 as my colleague Lauren Boebert's legislation, to ensure that we
394 push back on the President's Executive Order limiting access to
395 federal lands. I have actually been happily surprised to see
396 a good number of my Democratic colleagues start to rattle about
397 how far the Biden Administration has been going in this regard.

398 I know we have got a number of our colleagues from Texas on the
399 other side of the aisle who understand how important this is to
400 the industry in Houston and Texas. But again, I will reiterate
401 how important that leadership is for the world. And we all want
402 to have a strong, healthy, clean environment. But we know that
403 it is our innovation in what we have been producing in America
404 that is leading the world.

405 And one last point, our strength as we sit here talking about
406 OPEC, our strength -- remember all the speeches we used to hear

407 and all the conversations we had 15 years ago about oh, my gosh,
408 we have got to reduce our dependence on foreign oil? I haven't
409 heard that phrase in over a decade. Why? It hasn't been the
410 magic of wind turbines. It has been the magic of innovation and
411 the production of oil and natural gas, particularly in Texas,
412 but throughout this nation. And if we want to be strong and if
413 we want to push back on Iran, if you want to really want to push
414 back on OPEC, this bill is great. Make sure the United States
415 of America continues to lead in oil and natural gas production.
416 I yield back.

417 Chairman Nadler. Does anyone else seek recognition? For
418 what purpose does Ms. Jackson Lee seek recognition.

419 Ms. Jackson Lee. Mr. Chairman, I ask to strike the last
420 word.

421 Chairman Nadler. The gentlelady is recognized.

422 Ms. Jackson Lee. Thank you so very much. It is so
423 interesting to have an opportunity to discuss the future of this
424 nation in the House Judiciary Committee as relates to the pathway
425 about sourcing our energy needs. But let me first of all thank
426 Mr. Chabot for legislation that has been previously introduced,
427 bipartisan legislation, that is simple in its proclamation and
428 that is it is making clear that the act of state doctrine is not
429 a basis for U.S. courts to refrain from considering cases brought
430 under the new Section 7(a). And I particularly appreciate the

431 fact that the Department of Justice is able to prosecute the
432 organization of petroleum exporting countries, OPEC nations, for
433 entering to such collusive agreements.

434 We have seen OPEC over the years have an extraordinary
435 influence over oil prices and when acting collectively OPEC can
436 greatly influence crude oil prices, the largest single
437 determination of retail gas prices touching almost every aspect
438 of Americans daily lives. This has even happened in the last
439 two to four years when America was having challenges even with
440 our increasing independence, OPEC had an influence.

441 So we know the antitrust laws have the responsibility of
442 protecting consumers from entities that threaten competition and
443 control prices and I am delighted that the subcommittee on our
444 committee was able to move this bill forward and I hope it goes
445 to the floor.

446 On the other hand, let me give some life experiences having
447 practiced oil and gas law for a number of years, both in the gas
448 upstream and downstream, natural gas, even before it became so
449 popular as one of the more environmentally safe sources of energy
450 and also understanding the positions of our multinational energy
451 companies that were fossil fuel dependent.

452 What I would make the point as it seems that that has become
453 an issue to discuss in this committee is I believe President Biden
454 has the best interest of the nation in mind. There is no doubt

455 that the Administration recognizes the vital role that fossil
456 fuel has played over the decades, but I would take their words
457 and say America is as good as this or better than this, meaning
458 that we have the skills and technology to provide energy not only
459 for ourselves but around the world in a climate-friendly manner.

460 During the BP oil spill, as one of the only members of
461 Congress who participated in the overall journey of so many
462 secretaries of the Cabinet, persons coming into Houston and going
463 to BP, trying to decide how to stop the oil spill, in a hearing
464 that we had here in Washington, every single one of them said
465 that we have an environmental approach and we know that we have
466 to begin to look at climate change, renewables. That means that
467 we have a capacity to provide for the energy of this nation through
468 renewables, through solar, through wind, through a combination
469 of energy resources, and through a transitional period.

470 Let's be realistic. America has to be the leader in all
471 aspects of energy, but in particular, it has to lead the world.

472 Climate change is real. I know that because we have suffered
473 the horrific impact of Hurricane Harvey, 51 trillion gallons of
474 water. We have the need for Ike Dike that will stop the horrific
475 flooding that comes back about. All of that is weather triggered
476 and it certainly is triggered by climate change.

477 So this is a good bill. But let's not stick our hands and
478 our heads in the inevitable sand or well. Let's realize that we

479 can create jobs through moving America into the 21st century.

480 And as someone would say let's all try to get along and get it
481 done together. There is no East Coast, West Coast, South and
482 North bias. We have to provide for the American people safely
483 and securely, and we still have the capacity to provide for the
484 world using our technology and our common sense.

485 Let's use our common sense, not see each other as enemies,
486 but opportunities with our brilliance and our scientists and our
487 engineers working together and making America the lead as she
488 should be in providing for the world safely and securely.

489 With that, Mr. Chairman, I yield back.

490 Chairman Nadler. The gentlelady yields back. Does any --
491 for what purpose does Mr. Gohmert seek recognition?

492 Mr. Gohmert. Strike the last word.

493 Chairman Nadler. The gentleman is recognized.

494 Mr. Gohmert. Thank you. I appreciate the work that has
495 been done on the bill. As I was reading the bill though, it was
496 interesting. It talks in terms of foreign governments colluding
497 to increase the price of oil, but the biggest threat so far in
498 the last, well, since January 20th, has been on U.S.
499 administration taking actions like have already been mentioned
500 that have shut down a lot of our own efforts at production. It
501 has been immeasurably helpful to Russia. I thought I had been
502 hearing for years now people on the other side of the aisle didn't

503 want to help Russia, well, man, since January 20th, this
504 Administration, the Democratic Party, has all been immensely
505 helpful to Iran, to Russia, to China, and to the drug cartels
506 in Mexico.

507 So this would seem to address the issue of those countries
508 that produce oil without addressing what has been the biggest
509 problem this year and that is this Administration helping those
510 areas around the world besides the United States.

511 And as we saw in the latest cold weather snap that froze
512 so much in Texas, when we are in a crunch, you can't count on
513 wind and you can't count on solar. We just need to be better
514 prepared with natural gas that is so much cleaner.

515 And so I don't have a lot of problem with the bill, but I
516 think about the Obama Administration, how they were cozying up
517 to British Petroleum. They allowed BP to have hundreds of
518 egregious safety violations which ultimately we end up with the
519 big blow out down in the Gulf of Mexico.

520 And the very day of the blow out, BP officials were reportedly
521 talking to Senator John Kerry about being the first big oil company
522 to come out and support of cap and trade. Some of us said we
523 recall that with cap and trade, we had a chairman of the Energy
524 and Commerce Committee, one of the most honorable people that
525 I have ever had the opportunity to sub with. We had significant
526 disagreements on the best way to do some times, but that man was

527 committed toward helping America's poor and making their lot
528 better. And when he commented that cap and trade was not only
529 a tax, it was a great big tax.

530 And let's face it, it is the big tax on poor people. Rich
531 people, cost of energy goes up, it is inconvenient. People on
532 constant income, our seniors, our working poor, the poor, it is
533 absolutely devastating. And what this Administration has done
534 in this short time since January 20 has devastated America's poor
535 as it has driven up the price of oil. It is great for the oil
536 companies, great for Russia and Iran, but it has been very hurtful
537 to America's poor.

538 Of course, Speaker Pelosi fired him for saying that since
539 he did want to push through Obamacare, but he did not want to
540 push through cap and trade, so I applaud efforts to try to keep
541 the price of energy low, but trying to say it has been foreign
542 countries that has driven it up when it is the Biden Administration
543 that has had such a consequential blow to the pocketbooks of the
544 nation's poor and middle class, I think it just turns a blind
545 eye to those folks that need help.

546 So it is fine to go after foreign countries. We should that
547 collude to try to run up the price of oil. That has been a huge
548 problem in the past, but right now our biggest problem is the
549 Biden Administration and I hope they will quick picking on the
550 poor like this. With that, I yield back.

551 Chairman Nadler. The gentleman yields back. Does anyone
552 else seek recognition?

553 Mr. Jordan. Mr. Chairman.

554 Chairman Nadler. For what purpose, Mr. Jordan?

555 Mr. Jordan. Just to speak on the legislation.

556 Chairman Nadler. What?

557 Mr. Jordan. To speak on the legislation.

558 Chairman Nadler. Oh. The gentleman is recognized.

559 Mr. Jordan. Thank you, Mr. Chairman. Not only do we have
560 the inconsistency that the previous speaker from Texas, Mr.
561 Gohmert, pointed out where the Biden Administration making it
562 difficult on the oil and gas industry, therefore driving up the
563 price and now we have a bill that is going to hopefully help us
564 with what foreign governments are doing to help bring down the
565 price, we have got the inconsistency there. We just have the
566 inconsistency on antitrust law in and of itself.

567 I mean competition is good. Monopolies are bad. This is
568 what this bill tries to address. But just a few weeks ago, we
569 had the same subcommittee bring to have a hearing on a bill that
570 was going to allow the newspapers of this country to collude and
571 form a cartel. So I would just like to be consistent.

572 We talked last week in the antitrust report about big tech
573 and the power that that monopoly situation has, particularly in
574 silencing conservatives and attacking free speech, but I think

575 inconsistency, the gentleman from Texas is just right. That is
576 something that I think troubles many of us. That bill, the bill
577 to allow the newspapers of this country to collude to allow the
578 New York Times and the Washington Post to form a cartel,
579 particularly in light of what we saw fall during the election
580 where they colluded to prevent the American people from getting
581 access to an important story in the run up to the presidential
582 election is particularly troubling.

583 So I, too, am like the gentleman from Texas struck by the
584 inconsistency we see from our colleagues on the other side.
585 Nevertheless, this is a good piece of legislation and I hope we
586 pass it.

587 Chairman Nadler. The gentleman yields back. For what
588 purpose does the gentlelady from Florida seek recognition?

589 Mrs. Demings. Mr. Chairman, I move to strike the last word.

590 Chairman Nadler. The gentlelady is recognized.

591 Mrs. Demings. I would like to yield my time to the
592 gentlewomen from Texas, Ms. Sheila Jackson Lee.

593 Ms. Jackson Lee. Let me thank the gentlelady from Florida
594 and obviously, I know that she has been a lot of time understanding
595 the impact of climate change coming from Florida. But having
596 lived through the freeze, Mr. Chairman, with the enormous pain
597 of my constituents, we are still suffering. We had never
598 experienced the depth of cold in our lives to be very honest with

599 you. People died. People froze in their beds. An
600 11-year-old died. And we had no answer.

601 On the other hand, our colleagues in El Paso, wise as they
602 are, had a grid that allowed them to have the resources that they
603 could access. Of course, we did not. Texas is a singular grid
604 with no relationships anywhere short of a Southwest federal agency
605 that they can work with New Mexico, I believe, and Oklahoma.

606 But the real issue is that it was well documented that the
607 renewables are not the cause of the freeze. It was the lack of
608 preparedness of the State of Texas, the state-elected leadership,
609 the nonprofit board that no one knew existed, ERCOT, and it was
610 a calamity. Because of the way our grid was structured,
611 probably from a selfish perspective so many years ago, we were
612 allegedly self-sufficient and could not receive any gifts that
613 anyone wanted to give us if they wanted to. I know that because
614 I was on the telephone seeking gifts from California and New York.

615 That is right. They were far enough that they were not in the
616 mix of a freeze at that time. They couldn't do it. There was
617 no connectiveness. But it is well known that the gas wells froze.

618 Fossil fuel wasn't working and so it was an absolute structural
619 and policy and leadership failure that had us in that predicament.

620 You just can't pin it to renewables. It is just inaccurate.

621 Headlines tell you it is inaccurate.

622 I end it by saying my last remarks we can all work together

623 on this. The multi-nationals, the energy companies in my
624 district know about climate change and the environment and
625 alternative sources of energy which they can be as much of a giant
626 there in the whole Gulf region. It is not going to happen
627 overnight. I understand my colleague. It is not going to happen
628 overnight.

629 I see the oil wells. They are all up and down Houston,
630 outside of Houston. You don't drive anywhere without seeing a
631 baby oil well somewhere. That is Texas. But we have the great
632 ability to make a difference and we are beginning to do so with
633 wind and solar.

634 So I just wanted the record to be clear that the freeze,
635 as all my friends know was enormously serious in the urban areas,
636 in rural areas. We lost loved ones in the midst of COVID-19.

637 And the state legislature is now grappling with how to resolve
638 this. We are looking at federal legislation on weatherization,
639 but that is not going to be the only answer. The answer has to
640 be a reckoning of where we go from here on providing
641 non-interruptable energy to the American people and we must
642 advance in the 21st century and the 22nd century.

643 We have just landed on Mars, an impossible task. I am proud
644 to be a supporter of NASA. You know that we can do better with
645 our energy infrastructure scheme, our resources. But to blame
646 the freeze on any aspect of renewables is unfortunately not

647 accurate. The record must be clarified. It cannot be left
648 unclarified.

649 Let me thank Mr. Cicilline as well for stepping his toes
650 into an energy bill. We appreciate it. I know it has antitrust
651 ramifications, but we thank him for that.

652 With that, Mr. Chairman, I yield back to the gentlelady from
653 Florida and thank her very much for yielding.

654 Mrs. Demings. Mr. Chairman, I yield back. Thank you.

655 Chairman Nadler. The gentlelady yields back. For what
656 purpose does Mr. Gaetz seek recognition?

657 Mr. Gaetz. Strike the last word.

658 Chairman Nadler. The gentleman is recognized.

659 Mr. Gaetz. Thank you, Mr. Chairman. I support the NOPEC
660 legislation and it seems that OPEC has never mattered less in
661 our lives. I think one reason is that the Trump Administration
662 really built energy dominance into their focus and approach.
663 And I do believe that both sides can be right.

664 It is sincerely my hope that over these next several years
665 we dramatically expand utilization of renewable energy. It is
666 one of the reasons why I proposed a Green Real Deal so that we
667 can have an all of the above approach to energy, where we can
668 improve our electric grids so that we have greater capacity for
669 renewables. I don't think that we ought to demonize wind or solar
670 or natural gas. That seems to have great opportunities to serve

671 our country and to ensure that people live better lives and can
672 afford the energy that they need.

673 I would yield the remainder of my time to the gentleman from
674 Texas, Mr. Roy.

675 Mr. Roy. I thank the gentleman from Florida and I agree
676 with him. And my former boss, Governor Rick Perry, the future
677 Secretary of Energy, as the gentlelady from Texas well knows,
678 adopted the all of the above energy approach that my friend from
679 Florida just described. And in fact, Texas is the leading wind
680 producer in the United States of America, one of the leading wind
681 producers in the world.

682 Now the gentlelady, I would not disagree, that there were
683 a number of factors that led to what we dealt with in February
684 in Texas, including winterization issues in gas production. But
685 also it is patently clear from the charts and the data and the
686 production of energy is the fall off of wind and frozen turbines.

687 The data and the evidence is clear, because half the turbines
688 froze.

689 Now we can talk about winterization of the turbines. We
690 can talk about the administration of that, but we can't just ignore
691 the facts and the reality. And I would acknowledge or offer that
692 it is bipartisan agreement that the Biden Administration is
693 fumbling on issues involving oil and natural gas and damaging
694 our country as a result of that.

695 In a letter bearing the signatures of four Texas Democrats
696 including Representative Marc Veasey of Fort Worth, that group
697 declared "now is not the time to jeopardize American jobs or the
698 critical tax and royalty revenues that federal leases generate
699 the local state and Federal Government that needs funds now."

700 That is one quote from one letter.

701 And I would just point out, as my friend from Florida pointed
702 out, that we have the ability to achieve our objective of having
703 a diverse supply of energy, but one of the fundamental problems
704 Texas faced was that load, our baseload was hampered and
705 significantly, by the way, because if you go back to decades,
706 we burn coal where you have storage on site, you are not
707 transmitting it. It was a much bigger percentage of our overall
708 load in Texas. So when we move to renewables, we move to wind,
709 move to solar which we have massive amounts of in Texas, we all
710 know that, but you also move to clean burning natural gas which
711 has been a massive factor in driving down CO2 levels around the
712 world, not wind, not solar, clean burning natural gas is the
713 biggest driver of reducing CO2 levels around the world. And we
714 know that. The data shows that. So why would the Biden
715 Administration undermine that? Why? Pure politics that is why.
716 And we know that in Texas. We know that because we have seen
717 it in action.

718 And again, I saw it in action when I worked for Governor

719 Perry and he embraced the all the above approach that my friend
720 from Florida described. But I think it begs the question in
721 reviewing Texas' grid do we have the baseload capacity necessary
722 to be dependent upon? And how much do you invest? How many
723 billions of dollars in subsidies do you put into renewables?
724 Nineteen billion dollars in subsidies in Texas to have that number
725 one production in wind. Is that the right policy? Or would we
726 be better off if a bigger percentage of our grid were nuclear?
727 How much CO2 does nuclear produce? Zero.

728 Let's talk to Harry Reid about where you store nuclear, but
729 we will save that for another day. I yield.

730 Chairman Nadler. The gentleman yields back?

731 Mr. Gaetz. I yield back, Mr. Chairman.

732 Chairman Nadler. Does anyone else seek recognition? In
733 that case, we will vote on the bill. A reporting quorum being
734 presence, the question is on the motion to report the bill H.R.
735 2393 favorably to the House. All those in favor say aye. Aye.

736 Opposed, no.

737 The ayes have it and the bill is ordered reported favorably
738 to the House. Members will have two days to submit views.

739 Pursuant to notice, I now call up H.R. 2453, the Driving
740 for Opportunity Act of 2021. For purposes of markup, I move that
741 the committee report the bill favorably to the House. The clerk
742 will report the bill.

743 [The Bill H.R. 2453 follows:]

744

745 *****COMMITTEE INSERT*****

746 Mr. Valdez. H.R. 2453 to provide grants to states that do
747 not suspend, revoke, or refuse to renew a driver's license --

748 Chairman Nadler. Without objection the bill is considered
749 is read and opened for members at any point. I will begin by
750 recognizing myself in an opening statement.

751 I am proud to support the bipartisan Driving for Opportunity
752 Act which would provide grants to help states move away from the
753 practice of suspending, revoking, or refusing to renew a driver's
754 license on accounts of a failure to pay a civil or criminal fee
755 or fine.

756 H.R. 2453 marks the committee's first opportunity in this
757 Congress to address the practice by state and local governments
758 of imposing fees and fines in the criminal justice process, a
759 practice that has devastated millions of families by trapping
760 them in a cycle of poverty and punishment.

761 The consequences of not paying any fees or fines imposed
762 can be severe and wide ranging and may include ballooning debt,
763 driver's license suspension, diminished economic opportunity,
764 and in extreme cases, a warrant may be issued and jail time
765 ordered. These practices can, in effect, subject individuals
766 to a modern debtor's prison.

767 Today, we consider the Driving for Opportunity Act which
768 will promote the end of one of the most widespread and harmful
769 consequences of nonpayment of fees and fines, driver's license

770 suspension.

771 Throughout the United States, over 10 million people have
772 had their driver's licenses suspended or revoked after they failed
773 to pay court-ordered fines and fees. Both the individual and
774 cumulative effect of this number of driver's license suspensions
775 is not surprisingly profound. The vast majority of Americans
776 depend on their cars to drive to work. Nearly 30 percent of jobs
777 themselves require driving a vehicle. Suspending a person's
778 license frequently costs them their job and keeps them from
779 finding a new one which removes their ability to be financially
780 stable and to provide for their family.

781 In many cases, a person with a suspended license continues
782 to drive, rather than forfeit their ability to earn a living which
783 only subjects them to further legal jeopardy if they are caught.

784 As with many aspects of our justice system, this burden falls
785 hardest on the poor who cannot afford to pay the required fees
786 and fines and those who live in rural areas where public transit
787 or ride-sharing options may be limited.

788 Driver's license suspension also has a broader economic
789 impact from higher unemployment rolls to greater costs imposed
790 on businesses, they must train new workers to replace those who
791 lose their jobs because of suspended license. The loss of
792 economic activity and the family hardships due to driver's license
793 suspension on account of nonpayment of fees and fines cannot be

794 justified by the practice's purported justification that they
795 raise revenue and promote public safety.

796 For the state to actually generate revenue by suspending
797 licenses is dubious. Most states do not track the focus or impact
798 of collecting unpaid debts and the associated criminal justice
799 cost. In fact, ending the practice of suspensions might a more
800 fiscally sound practice. The fiscal year after California ended
801 driver's license suspensions for nonpayment of debt, the state
802 reported an \$82 million increase in non-delinquent collection.

803 A number of studies suggest that alternatives to suspension
804 have a greater success in generating revenue. The study that
805 looks at one jurisdiction's efforts to help individuals with
806 traffic fines pursued alternative payment options found that 53
807 percent of people with reinstated driver's licenses found
808 employment as a result of reinstatement. And there were 40
809 percent reported an increase in income associated with the
810 program.

811 In addition, from a public safety perspective, reducing law
812 enforcement encounters with individuals who have suspended
813 licenses would free up law enforcement to take on more appropriate
814 tasks. For example, the Fees and Fines Justice Center reports
815 that for every one percent increase in revenue from fees and fines,
816 six percent fewer violent crimes and eight percent fewer property
817 crimes are fell.

818 The states have started to push their appeal of driver's
819 license suspension. Recently, my home State of New York took
820 the right steps and stopped suspending licenses for unpaid court
821 debt. This legislation would help other states many of which
822 saw declining revenues during the pandemic to end this unjust
823 practice by covering the cost of reinstating previously suspended
824 driver's licenses and incentivizing others to end the practice.

825 I thank Representative Mary Gay Scanlon, the sponsor of this
826 legislation for her vision and her leadership in promoting more
827 a equitable criminal justice system that does not criminalize
828 poverty. This bipartisan, bicameral bill has united in support
829 groups from across the political spectrum from the Fraternal Order
830 of Police to the ACLU.

831 I ask my colleagues to join the diverse coalition that
832 supports the Driving for Opportunity Act in supporting this bill
833 today.

834 I now recognize the distinguished Ranking Member of the
835 Judiciary Committee, the gentleman from Ohio, Mr. Jordan, for
836 his opening statement.

837 Mr. Jordan. Thank you, Mr. Chairman.

838 H.R. 2453 is an unnecessary waste of taxpayer dollars and,
839 frankly, an infringement on state discretion. This bill gives
840 federal tax dollars to states that do not suspend, revoke, or
841 refuse to renew a driver's license or refuse to renew a

842 registration of a motor vehicle for a driver's failure to pay
843 civil or criminal fines or fees.

844 Essentially, the Federal Government will be paying fines
845 and fees owed by actual individuals. American taxpayers should
846 not be forced to foot the bill that is currently paid for by those
847 who broke the law.

848 Civil or criminal fines and fees help fund various state
849 and local government functions including law enforcement, victims
850 services, judicial operations, and other state and local programs
851 and operations.

852 We see over and over again the reliance on this federal
853 handout will pressure Congress to perpetually reauthorize and
854 fund the shortfall created by the legislation.

855 Further, the bill does nothing to incentivize states to
856 consider alternatives. They should be free to consider
857 alternatives such as putting low-income individuals on a payment
858 plan or authorizing community service in lieu of the fine or the
859 fee that they owe.

860 There is also no need to establish this grant program in
861 order to incentivize states to change the law, as the chairman
862 just mentioned. Since 2017, 14 states and the District of
863 Columbia have eliminated the suspension or revocation of driver's
864 licenses for unpaid fines. All did so without a handout from
865 the Federal Government.

866 It's also interesting, those same states including, as the
867 chairman mentioned, his home state of New York, they're going
868 to get the money under the bill even though they've already done
869 what the bill is incentivizing them to do.

870 Let's also not forget that states are in control of their
871 own laws and enforcement policies. Law enforcement and
872 prosecutors are free to prioritize enforcement and prosecution
873 as they see fit. It's called discretion.

874 As we all know, Democrat states and localities frequently
875 refrain from enforcing federal immigration law. This
876 prosecutorial discretion can be used in any jurisdiction to not
877 enforce provisions that suspend or revoke a driver's license for
878 nonpayment of a fine or fee.

879 Finally, the bill dangerously repeals 23 U.S. Code 59, which
880 withholds a portion of federal highway aid to states that do not
881 suspend or revoke driver's license for at least six months for
882 individuals convicted of drug offenses.

883 This is an irresponsible provision that puts American lives
884 at risk. Even the sponsors of this legislation can see drunk
885 and dangerous driving are some of the leading causes of death
886 and serious bodily injury in our country.

887 I urge my colleagues to oppose this unnecessary and, I think,
888 dangerous bill.

889 And with that, Mr. Chairman, I yield back.

890 Chairman Nadler. The gentleman yields back.

891 I now recognize the chair of the Subcommittee on Crime,
892 Terrorism, and Homeland Security, the gentlelady from Texas, Ms.
893 Jackson Lee, for her opening statement.

894 Ms. Jackson Lee. Mr. Chairman, thank you so very much.
895 I'm excited about the opportunity to take up this important
896 legislation introduced not only by our colleague, Representative
897 Mary Gay Scanlon, but a member of the subcommittee, and I thank
898 her for her leadership.

899 I'm proud to support the Driving for Opportunity Act, a
900 bipartisan bill that would help break down the barriers faced
901 by so many Americans whose driver's license are revoked,
902 suspended, or otherwise targeted due to unpaid fees and fines.

903 We all know what happens to low-income persons and others.
904 They can't get to work, grocery store, babysitter, school pick
905 up. They are left desperate.

906 The imposition of fees and fines by criminal justice systems
907 is a pernicious practice. Suspending driver's licenses for
908 failing to pay these fees and fines is even more problematic and
909 burdensome.

910 Funding courts and law enforcement on the backs of the poor
911 regardless of their guilt is wrong. This bill takes a small but
912 important step to correcting this practice by incentivizing
913 states to end the practice of suspending, revoking, or refusing

914 to renew a driver's license for failure to pay a civil or criminal
915 fine or fee and for other purposes.

916 Currently, 35 states and District of Columbia suspend,
917 revoke, or refuse to renew driver's licenses for unpaid traffic,
918 tolls, misdemeanor, felony, and fines. I know that is something
919 that has been brought to our attention in her work of activism
920 and leadership by our own colleague, Congresswoman Bush, as
921 related to Ferguson, Missouri.

922 In the aftermath of the death of Michael Brown, it was
923 determined what that city did in terms of tracking Black residents
924 as the source of income through these kinds of tickets. Tragic,
925 sad, and debilitating.

926 Millions of Americans across the nation have suffered the
927 suspension or revocation of driver's license for the nonpayment
928 of court fines and fees. In most states, these suspensions are
929 indefinite and there is a fee to reinstate licenses, money on
930 top of money.

931 Even worse, in many states individuals also are prevented
932 from applying for occupational or other restricted use license.

933

934 While in theory this may appear, like, to be effective
935 approach to ensure that people pay their fines, in reality, it
936 is an ineffective and cruel measure that criminalizes the poor
937 by targeting those who are unable to pay fines by removing their

938 key to economic security, a driver's license, or maybe to a health
939 appointment or maybe to pick up their elderly parent, or maybe,
940 in essence, to provide income for their family through a driving
941 occupation.

942 Today, 86 percent of Americans depend on their car to get
943 to work, and many jobs require a driver's license. Without a
944 license, you can't take your child to school, buy groceries, or
945 get health care. God forbid you have to leave and in an emergency
946 manner to go to a funeral and you have to go on an airplane.
947 You have no driver's license.

948 In many rural areas, there's no public transportation or
949 viable alternatives to driving oneself. Without any other
950 transportation options, many people have no choice but to continue
951 driving, risking more fines and fees, a criminal conviction, or
952 possible incarceration. That is well known in many inner city,
953 urban communities, and rural communities.

954 In fact, in almost 75 percent of cases where driver's license
955 are suspended they continue to drive with revoked or suspended
956 licenses. In my hometown of Houston, half of a million drivers,
957 most of whom are low-income, cannot renew their driver's license
958 due to outstanding fines or driving tickets.

959 Jude Augustin's story is one of many that highlights the
960 economic impacts of this practice. As a young man in Houston,
961 he did not pay his tickets, and because of late fees he is --

962 he has outstanding debt rose to over \$5,000. He lost his driver's
963 license, missed out on an offshore job.

964 Only through the help of a local charity was he able to pay
965 his debts, restore his license, and find a better job.

966 A report by the Texas Fair Defense Project found 40 percent
967 were Black drivers while Houston's Black population is only 22
968 percent, indicating the disparate impacts on the Black community
969 and other communities of color continues to happen.

970 Sometimes it triggers into a violent encounter,
971 unfortunately. In Houston alone, 6,000 people were jailed for
972 failing to pay tickets. These practices are modern debtors
973 prisons, a restraint on community growth. We used to see them
974 quite frequently in the Municipal Court.

975 However, the American people are finally recognizing the
976 flaws in our current criminal justice system. This bill seeks
977 to rectify this wrong by promoting a more equitable and
978 compassionate approach that understands that criminalizing
979 poverty and furthering mass incarceration is not the solution.

980 I, again, congratulate Congresswoman Scanlon and thank her
981 for her leadership and I urge my colleagues to support this bill,
982 and I yield back.

983 Chairman Nadler. The gentlelady yields back.

984 For what purpose does Mr. Biggs seek recognition? For the
985 opening statement --

986 Mr. Biggs. Opening --

987 Chairman Nadler. I now recognize the ranking member of the
988 Crime Subcommittee, the gentleman from Arizona, Mr. Biggs for
989 his opening statement.

990 Mr. Biggs. Thank you, Mr. Chairman.

991 I must oppose H.R. 2453. One reason, of course, is that
992 it will saddle our children with \$100 million of needless debt.
993

994 But I used to practice law in the municipal courts, and both
995 prosecuted and defended for a lot of years. And I can tell you
996 that this is -- this is a legitimate issue, I think. It is
997 something to think about.

998 But this bill is not the way to do it, because -- and I'll
999 give you several reasons. This bill authorizes the DOJ to give
1000 \$20 million a year to states that do not suspend a driver's license
1001 of a person for failure to pay a civil or criminal fine or fee.

1002 So now you're going to create a constituency of states that
1003 are going to be coming back here continually for you to fill their
1004 -- back fill their coffers.

1005 The other thing is you got -- you have fines and fees. These
1006 are revenue sources for the states and local governments. They
1007 fund state, local government functions, and you're going to ask
1008 law-abiding taxpayers to fill those coffers and you're going to
1009 take away the incentives for folks to pay fines. The vast

1010 majority of people do pay their fines in the municipal courts
1011 in Arizona.

1012 But, look, there's a real thing that you got to consider
1013 here. Fourteen states have handled this on their own, and the
1014 reason they handled it on their own is because this is a state
1015 issue.

1016 Whether I agree or disagree with the policy overall, this
1017 is creating another federal handout. There's nothing to address
1018 the ability of one to pay a fine, and I don't know the state or
1019 jurisdiction that doesn't provide opportunities for payment plan.

1020 And in some states and some localities within my own state,
1021 they'll provide some other way to deal with that fine. States
1022 should be able to decide on their own how to best deal with
1023 individuals who may not have the resources to pay a fine or fee
1024 in full while leaving intact the penalties for those who are able
1025 to pay and choose to do so.

1026 Removing the penalties places the financial burden on all
1027 taxpayers rather than those who have either been convicted of
1028 a crime or a civil sanction that has been imposed upon them.

1029 This bill is an attempt by Congress to force states to change
1030 their laws to meet the policy goals of some in Congress, and I
1031 would suggest if my colleagues care so much about this particular
1032 issue, I encourage you to leave Congress, go back home, run for
1033 your state legislature, make the appropriate changes there.

1034 I urge my colleagues to oppose H.R. 2453.

1035 I yield back.

1036 Chairman Nadler. The gentleman yields back.

1037 Without objection, all other opening statements will be
1038 included in the record.

1039 Are there any amendments to H.R. 2453?

1040 Mr. Issa. Mr. Chairman, I have an amendment at the desk.

1041 Chairman Nadler. For what purpose does Ms. Scanlon seek
1042 recognition?

1043 Ms. Scanlon. I move to strike the last word.

1044 Chairman Nadler. The gentlelady is recognized.

1045 Ms. Scanlon. Thank you, Mr. Chairman, for bringing up the
1046 Driving for Opportunity Act for our committee's consideration.

1047 I'd also like to thank my colleagues, Mr. Fitzpatrick, Mr.
1048 Reschenthaler, and Ms. Moore for co-leading the legislation with
1049 me.

1050 Thank you to our Senate colleagues, Senators Coons and
1051 Wicker, for their leadership on the Senate companion to this bill,
1052 and to Senators Grassley, Lankford, Ernst, Boozman, Durbin, Van
1053 Hollen, Blumenthal, and Wyden for co-sponsoring the Senate
1054 counterpart.

1055 I'm very proud of this bipartisan bicameral legislation
1056 which would incentivize states to stop suspending driver's
1057 licenses, to collect fines and debt, and repeal federal mandates

1058 that unnecessarily prevent the states from making this common
1059 sense change.

1060 Nationwide, at least 11 million people have suspended
1061 driver's licenses for unpaid fines and fees. Let's be clear at
1062 the outset that we are not talking about driver's license
1063 suspensions based on unsafe driving behavior, such as driving
1064 under the influence.

1065 The overwhelming evidence shows that when individuals are
1066 too poor to pay fines and fees, it's counterproductive to suspend
1067 their driver's licenses and make it even harder for them to pay
1068 off their debt.

1069 In the last five years, 15 red and blue states and the
1070 District of Columbia have moved to end this practice. The Driving
1071 for Opportunity Act would further incentivize states to stop this
1072 policy by repealing the federal mandate to suspend driver's
1073 licenses for certain non-driving-related offenses and
1074 authorizing targeted grants to states that repeal laws suspending
1075 driver's licenses for unpaid fees and fines.

1076 Research increasingly shows that suspending driver's
1077 licenses for unpaid fines and fees negatively impacts families,
1078 communities, and law enforcement without increasing state
1079 revenues.

1080 It makes it harder for Americans to get to work, to pay off
1081 their debts, and places an unnecessary burden on law enforcement,

1082 essentially, forcing police to act as debt collectors rather than
1083 expending resources elsewhere.

1084 It's bad policy. Driver's license suspensions lead to
1085 increased unemployment and underemployment. According to a
1086 report by the Motor Vehicles Affordability and Fairness Task Force
1087 in New Jersey, 42 percent of those who lost their licenses lost
1088 their jobs as a result, and a subsequent 45 percent of those who
1089 lost their jobs were unable to find new employment. Eighty-eight
1090 percent of those who were able to find another job reported a
1091 decrease in income.

1092 A Harvard Law School report called the suspension of driver's
1093 licenses one of the most pervasive poverty traps for poor people
1094 assessed the fines that they cannot afford to pay.

1095 This practice puts people at risk without benefit to public
1096 safety. According to the American Association of Motor Vehicle
1097 Administrators, 75 percent of suspended drivers continue to
1098 drive, facing further fines, fees, and incarceration if they're
1099 pulled over.

1100 Police officers are then required to make traffic stops as
1101 debt collectors, and unnecessary traffic stops can be dangerous.

1102

1103 Additionally, this practice disproportionately harms both
1104 rural communities and minorities. Only 11 percent of rural
1105 residents have access to public transportation, and studies show

1106 that Black and Latino people are more likely to be the subject
1107 of traffic enforcement and have their licenses suspended, despite
1108 comparable traffic violation rates.

1109 While the numbers are staggering, nothing puts this issue
1110 into focus like hearing the stories of people around the country
1111 who are trapped in cycles of poverty because they can't drive
1112 to work to pay off their debt.

1113 People like Celeste, a single mother of five living in
1114 Florida, whose driver's license was suspended due to unpaid fines.

1115 She couldn't pay her debt because she was already struggling
1116 financially and trying to put food on the table for her children
1117 on her \$10 an hour salary.

1118 After her license was suspended, she continued to drive
1119 because she had no other way of getting to work and caring for
1120 her children. Taking a bus would have required travel overnight
1121 to get to her 7:00 a.m. shift with two transfers, rather than
1122 driving 15 minutes on the highway.

1123 She lived in constant fear when she had to risk driving
1124 because she'd been arrested for driving without a license. But
1125 she had to keep driving to put food on the table for her children.

1126 This process punishes poverty and has no discernible benefit
1127 to society. In fact, the Koch Industries deputy general counsel
1128 said in the Wall Street Journal op-ed, "Debt-based license
1129 suspensions and revocations don't protect or promote safer

1130 communities. They epitomize government overreach and are
1131 punitive to the most vulnerable."

1132 I'm particularly proud of this bill's broad support across
1133 the ideological spectrum. It has support from the U.S. Chamber
1134 of Commerce, 24 bipartisan attorneys general, the Americans for
1135 Prosperity, the FOP, the ACLU, the American Association of State
1136 and Highway Transportation Officials, and a dozen more.

1137 Thank you to Chairman Nadler and Chairwoman Jackson Lee for
1138 your support in bringing forth this legislation, and especially
1139 to our committee staff. I urge all my colleagues to join me in
1140 supporting this bipartisan bicameral legislation so we can make
1141 a difference for millions of Americans in our districts.

1142 Thank you. I yield back.

1143 Chairman Nadler. The gentlelady yields back.

1144 For what purpose does Mr. Issa seek recognition?

1145 Mr. Issa. Mr. Chairman, I have an amendment at the desk.

1146 Chairman Nadler. The clerk will report the amendment.

1147 Ms. Jackson Lee. Mr. Chairman, I reserve a point of order.

1148 Chairman Nadler. A point of order is reserved.

1149 Mr. Valdez. Amendment to H.R. 2453, offered by Mr. Issa
1150 of California. Page 3 beginning on line five, strike "The highest
1151 it has been since the Great Depression" and insert the following,
1152 "At the same level as August 2014, more than five years into the
1153 Obama/Biden Administration."

1154 [The amendment offered by Mr. Issa follows:]

1155

1156 *****COMMITTEE INSERT*****

1157 Chairman Nadler. The gentleman is recognized for the
1158 purpose of explaining his amendment.

1159 Ms. Jackson Lee. I withdraw my point of order.

1160 Chairman Nadler. Point of order is withdrawn.

1161 Mr. Issa. Thank you, Mr. Chairman.

1162 I'm bringing up this technical amendment in what was the
1163 base bill for two reasons. First of all, it is factually correct
1164 that at the time of the drafting of this bill, the unemployment
1165 rate was not at the 25 percent of the Great Depression but, rather,
1166 the largest since 2014. And so I view this as technical and
1167 non-confrontational and non-controversial.

1168 But I also want to make sure that I say to the gentlelady
1169 from Pennsylvania that the premise -- the concept of finding a
1170 way not to deny people the ability to use their automobile if
1171 they are safe on the road in order to earn a living is laudable,
1172 and I don't object to it.

1173 I would believe that had this bill or if this bill in time
1174 is rewritten to be more narrow and to -- rather than incentivize
1175 an ongoing form of funds but, rather, more specifically, restrict
1176 states from hampering people's ability to earn a living, that
1177 the same could be accomplished, as has been said.

1178 There were many things that I don't like about this bill
1179 that will be brought up in amendments today, notably, for example,
1180 the failure to pay child support. Although one cannot perhaps

1181 pay child support if you're prohibited from working, we also know
1182 that people who don't pay child support often do so not for --
1183 not because of a failure to be able to but an unwillingness to
1184 set aside to meet their obligation, and these tools often are
1185 the ones that are effective in convincing people to make an
1186 arrangement to pay their child support.

1187 But, lastly, nowhere in this bill is it -- do I believe it
1188 is narrow enough to limit it to what I think the gentlelady from
1189 Pennsylvania would say is a common sense approach.

1190 For example, if someone's driving license is restricted but
1191 not eliminated and restricted only to the essential going back
1192 and forth to work or, quote, "emergencies," which normally would
1193 be ordered by judges -- for example, taking your spouse to the
1194 hospital -- but that you are restricted from all pleasure, you
1195 still have an effect tool to get someone to pay up on their fees.

1196 Additionally, defining narrowly fees as opposed to
1197 restitution or other reimbursements for the cost to society isn't
1198 spelled out in the bill.

1199 So although my amendment is simple and technical and
1200 clarifies without any debatability, I certainly think that if
1201 the gentlelady, in time, if this bill does not quickly get enacted,
1202 would consider trying to accomplish more narrowly what she wants
1203 to accomplish, which I believe would be even more broadly accepted
1204 on both sides, I certainly would look forward to and be happy

1205 to put my staff and my time into it.

1206 Again, there's nothing wrong with the concept that is being
1207 said here, which is people shouldn't -- should not be restricted
1208 from being able to earn a living.

1209 On the other hand, I certainly would hope that in any future
1210 legislation we use a basic principle of law here in Washington,
1211 which is that because we're a federalist system we must do only
1212 that which is most necessary and unavoidable by the Federal
1213 Government, rather than that which we believe we can do using
1214 money to influence behavior of what is otherwise a sovereign right
1215 of the states.

1216 And with that, I want to thank the chairman, and I yield
1217 back early.

1218 Chairman Nadler. For what purpose does Ms. Scanlon seek
1219 recognition?

1220 Well, I recognize myself and I yield for Ms. Scanlon.

1221 Ms. Scanlon. Okay. I would just move to strike the last
1222 word.

1223 I just want to make sure that my learned colleague
1224 understands that child support is not impacted at all by this
1225 bill. That is not part of this bill. That's a completely
1226 separate instance, and to suggest that the idea that you could
1227 have a limited suspension of driver's licenses would place an
1228 even more intolerable burden upon our law enforcement, who are

1229 already objecting to the fact that they're supposed to be debt
1230 collectors and stopping people with suspended licenses.

1231 If we then add on that they have to determine whether people
1232 are going to work or out on a pleasure drive, that's going to
1233 be an even more wasteful use of their time and opportunity.

1234 With that, I would yield back to the chairman.

1235 Mr. Issa. Would the chairman further yield?

1236 Chairman Nadler. No. No. No. I will not yield at the
1237 moment. We will accept this amendment. We will want to check
1238 the accuracy of the statement in it.

1239 But we can do that between now and the floor, and unless
1240 it proves to be inaccurate -- well, we will accept the amendment
1241 for the -- for the moment. Reserve the right to amend it after
1242 consultation with the minority later if it proves to be factually
1243 inaccurate.

1244 Mr. Issa. I thank the gentleman.

1245 Chairman Nadler. Is there any -- well, are there any other
1246 amendments?

1247 Oh, the question -- I'm sorry. I'm told we must go through
1248 the formality.

1249 The question occurs on the amendment.

1250 All in favor say aye.

1251 Opposed?

1252 The ayes have it. The amendment is accepted.

1253 Are there any other amendments to H.R. 2453?

1254 Mr. Biggs. Mr. Chairman, I have an amendment at the desk.

1255 Ms. Jackson Lee. I reserve the right to object.

1256 Chairman Nadler. The gentleman -- the clerk will report
1257 the amendment.

1258 Point of order is reserved.

1259 Mr. Valdez. Amendment to H.R. 2453, offered by Mr. Biggs
1260 of Arizona. Page 4, insert after line 13 the following --

1261 Chairman Nadler. Without objection, the amendment is
1262 considered as read.

1263 [The amendment offered by Mr. Biggs follows:]

1264

1265 *****COMMITTEE INSERT*****

1266 Chairman Nadler. The gentleman is recognized for the
1267 purpose of explaining the amendment.

1268 Mr. Biggs. Thank you, Mr. Chairman.

1269 My amendment simply points out that 14 states and Washington,
1270 D.C., have already changed their laws to not suspend or revoke
1271 a driver's license for failure to pay a fine or fee.

1272 These states and Washington, D.C., did so without any kind
1273 of incentive from the Federal Government. The 14 states, coming
1274 from across the ideological spectrum, include California, Hawaii,
1275 Idaho, Illinois, Maine, Maryland, Michigan, Mississippi,
1276 Montana, New York, Oregon, Texas, Virginia, and West Virginia,
1277 which speaks to the fact that each state is perfectly capable
1278 within their legislature of addressing this issue.

1279 The finding section creates a narrow view of the non-driving
1280 suspensions enforcement issue. It states that between 2010 and
1281 2017, all but three states increased the amount of fines and fees
1282 for civil and criminal violations, and my statement provides a
1283 good counterbalance to that.

1284 Because the statement itself fails to mention that these
1285 14 states and D.C. have eliminated the suspension or revocation.

1286 If the 14 states and D.C. have reaped the rewards of more than
1287 -- more revenue coming in, as the chairman said earlier, after
1288 ending the hammer of losing one's license, then why do we have
1289 to give out federal money?

1290 Why do we have to give out federal money? Well, why not
1291 simply mandate it? If this is really what you want to do, if
1292 you want to become a super state legislature, why not simply
1293 mandate it?

1294 The reality is I don't advocate for that because this is
1295 a state's -- a state issue. Each state is dealing with it a little
1296 bit differently. Some states have agreed with the bill sponsor
1297 and eliminated this and other states are holding on to that, and
1298 other states are actually debating the issue.

1299 My amendment is very simple and I urge your support. And
1300 with that, I yield back.

1301 Ms. Jackson Lee. Mr. Chairman, I withdraw my point of order.

1302 Chairman Nadler. The point of order is withdrawn.

1303 For what purpose does Ms. Dean seek recognition?

1304 Ms. Dean. Mr. Chairman, I move to strike the last word.

1305 Chairman Nadler. The gentlelady may proceed.

1306 Ms. Dean. Thank you, Mr. Chairman.

1307 I rise in support of the underlying bill, the Driving for
1308 Opportunity Act offered by my friend and colleague, Congresswoman
1309 Scanlon.

1310 Sadly, we know that millions of Americans, including at least
1311 11 million people nationwide, have their driver's license
1312 suspended simply because they cannot pay fines or fees.

1313 Most Americans depend upon their license and drive multiple

1314 times a week to get to a job, to pick up food, to get their kids
1315 to and from school or daycare, or to get to doctor's appointments.

1316 Suspending someone's driver's license not only prevents
1317 people from doing those daily and necessary tasks, but also can
1318 lead to unemployment and debt. It's paradoxical to our growing
1319 economy.

1320 I do want to repeat what the gentlewoman, the author of the
1321 bill, quoted in a Wall Street Journal op-ed. Quote, "Debt-based
1322 license suspensions and revocations don't protect or promote
1323 safer communities. They epitomize government overreach and are
1324 callous and punitive to the most vulnerable."

1325 I know my colleagues on the other side of the aisle are very
1326 mindful of government overreach and want to avoid it at every
1327 turn. The Driving for Opportunity Act would provide grants to
1328 incentivize states not to suspend driver's licenses for unpaid
1329 fees and fines.

1330 Luckily, many states are already doing this, including
1331 Montana, Virginia, West Virginia, Idaho, Mississippi, Illinois,
1332 Oregon, and many others are considering similar reforms.

1333 In closing, I just want to thank my colleague and friend
1334 from Pennsylvania for addressing this issue and introducing this
1335 legislation, and I ask my colleagues to support the Driving for
1336 Opportunity Act.

1337 And I yield back, Mr. Chairman.

1338 Chairman Nadler. The gentlelady yields back.

1339 For what purpose does Mrs. Spartz seek recognition?

1340 Mrs. Spartz. To strike the last word.

1341 Chairman Nadler. The gentlelady is recognized.

1342 Mrs. Spartz. Thank you, Mr. Chair.

1343 I actually support the concept of waiving the fees and give
1344 opportunities for people to get their licenses back. The issue
1345 I have with this bill as a state legislator, last year in the
1346 state of Indiana we created amnesty program. We supported it
1347 on a bipartisan basis.

1348 Just yesterday, our state legislature sent to the governor's
1349 desk a bill which will waive reinstatement fees, and I think it's
1350 good and states need to deal with that. And I'm glad to see that
1351 my legislature in the state of Indiana actually is dealing with
1352 that issues.

1353 If some other states are not dealing with that issues, that's
1354 the problem of the state and their citizens maybe should replace
1355 the legislature if they don't like the fees, you know, because
1356 this is what the problem I have.

1357 It's a state fee, and a lot of these fees are unreasonable
1358 and a lot of them create problems.

1359 But I just don't believe that if one of the states, whether
1360 it's California or Alabama or whatever state it is, is not doing
1361 what is good for the state, then the Federal Government should

1362 take money from everyone else, including the citizens of Indiana,
1363 to pay for these fees.

1364 I just think it's unfair for us to subsidize something that
1365 the state is doing right or wrong. Then they have to decide about
1366 that, you know, and at which point are we going to decide?

1367 Well, we don't like, maybe, you know, Illinois has high
1368 taxes, you know, so should we start subsidizing high property
1369 taxes? Should we start giving money to the state and just say,
1370 okay, we're going to just give you money. You can charge whatever
1371 you want and we're going to subsidize your budget.

1372 You know, the states have to be responsible for their
1373 decision, and it's state fees. It's a state law, and if the state
1374 is not doing its job, we have elections and people need to replace
1375 the governors and state legislature.

1376 But that is not our business to go and bail out bad decisions
1377 of some states. So I believe this is a good concept and we need
1378 to promote them in the state when we go back in our districts
1379 and explain to our constituents, because it's a big issue.

1380 But I just don't think it's a federal issue and we should
1381 be concentrating to dealing with federal issues better.

1382 I yield back.

1383 Chairman Nadler. The gentlelady yields back.

1384 For what purpose does Ms. Garcia seek recognition?

1385 Ms. Garcia. Mr. Chairman, I move to strike the last word.

1386 Chairman Nadler. The gentlelady is recognized.

1387 Ms. Garcia. Thank you, Mr. Chairman, and thank you for
1388 bringing this matter to our attention, and I thank my good friend
1389 and colleague, Ms. Scanlon, for sponsoring this legislation.

1390 You know, I, too, have been in the state legislature. I
1391 was a state senator. But more importantly, I was also a judge,
1392 the chief judge of our court system in Houston, which handles
1393 many, many, many of these cases.

1394 And I can tell you that the practice of suspending driver's
1395 licenses due to unpaid fines and fees is counterproductive and
1396 needs to end.

1397 People across the country have suspended driver's licenses
1398 not because they are dangerous drivers, but because they have
1399 not been able to pay their debt. In fact, in the United States,
1400 40 percent of all driver's license suspensions are issued for
1401 conduct totally unrelated to driving, totally unrelated to
1402 driving.

1403 Debt-related license suspensions waste precious public
1404 safety resources and have negative impacts on public safety.
1405 A person whose license is suspended faces a difficult choice.

1406 If they drive, they can't get to work, take their kids to school,
1407 go to church, bring an elderly parent to a doctor's appointment,
1408 or make a court appearance.

1409 Put simply, if a person can't get to work they can't pay

1410 their bills. But if they continue to drive after their license
1411 is suspended, as many people do, then they risk additional
1412 charges.

1413 In fact, I would submit to you, Mr. Chairman, that some of
1414 the collection efforts that are made to collect some of these
1415 fees and surcharges are very payday lending like schemes.

1416 You try to get an installment payment to pay. Well, guess
1417 what? They're going to add some more dollars to it, and if there's
1418 a lawyer involved they're going to add attorney's fees.

1419 I have seen cases that have started at a \$25 fine but before
1420 -- by the end of the day, when they went through all the surcharges
1421 and the fees, it could be \$125 or \$150 that they actually owe.

1422 So ending license suspension for unpaid fines and fees will
1423 prevent further harm to vulnerable communities, improve state
1424 economies, and better allocate public safety resources.

1425 As I said, even when I was back in the days when I was a
1426 judge, Mr. Chairman, these fines should be based on ability to
1427 pay and the seriousness of the offense. If they are too large,
1428 then you just create a system where you're making poor people
1429 poorer, and that is totally unacceptable.

1430 And this is not just about one state. It's many states,
1431 which is why it is a national interest. It is a national interest,
1432 and I thank, again, Ms. Scanlon for presenting this and I yield
1433 back the balance of my time to her.

1434 Ms. Scanlon. Thank you.

1435 Chairman Nadler. The gentlelady yields back.

1436 For what purpose does Mr. Gohmert seek --

1437 Ms. Garcia. I yielded to Ms. Scanlon.

1438 Chairman Nadler. I'm sorry. I'm sorry.

1439 Ms. Garcia. Thank you, Mr. Chairman.

1440 Ms. Scanlon. Thank you. I just wanted to comment on one
1441 aspect of -- a federal aspect of this bill.

1442 The Driving for Opportunity Act helps solve a federal issue,
1443 which is the repeal of 23 USC 159. Currently, federal law reduces
1444 highway money for states that do not suspend driver's licenses
1445 for anyone convicted of a drug offense.

1446 Therefore, the Federal Government has been requiring states
1447 to suspend driver's licenses. Now they're faced with the fact
1448 that they have costs associated with reversing that federal
1449 mandate, and that's where the very targeted grants from the
1450 Federal Government will go to help them overcome that burden.

1451 So to the extent that there are small targeting grants
1452 related to this bill, it is to remove a federal mandate.

1453 And with that, I would yield back to the chair.

1454 Ms. Garcia. You would yield back to me.

1455 Ms. Scanlon. Ms. Garcia, I would yield back to you.

1456 Ms. Garcia. Reclaiming my time, and I will yield to Mr.
1457 Cicilline.

1458 Mr. Cicilline. Thank you. I thank the gentlelady for
1459 yielding.

1460 I want to thank Ms. Scanlon for introducing this really
1461 important piece of legislation. This has extraordinary
1462 consequences on individuals and families, the suspension of
1463 licenses and the inability to pay civil and court fines.

1464 And with respect to my friend on the other side of the aisle
1465 who was concerned about the Federal Government incentivizing
1466 behavior, we do this all the time. We create programs to
1467 incentivize states to do certain things because we think it
1468 promotes good public policy.

1469 So this is not unusual. There's nothing strange about this.
1470 But I really wanted a moment just to say thank you to the sponsor.

1471

1472 I, as a former criminal defense lawyer, have seen the
1473 consequences of this kind of suspension now can make it impossible
1474 for people to address medical needs of their family, to look for
1475 employment, particularly in places where there's not good public
1476 transit, and this will make a real difference in the lives of
1477 people trying to make a living, support their families, and get
1478 ahead.

1479 So I urge us the defeat of the amendment and strong support
1480 for the bill, and yield back to the gentlelady, and thank you.

1481 Ms. Garcia. I yield back, Mr. Chairman. Thank you.

1482 Chairman Nadler. For what purpose does Mr. Gohmert seek
1483 recognition?

1484 Mr. Gohmert. To strike the last word.

1485 Chairman Nadler. The gentleman is recognized.

1486 Mr. Gohmert. Thank you.

1487 This really is a matter that, according to the 10th
1488 Amendment, is reserved to the states and the people, and I know,
1489 as a former felony judge, there were times people could come and
1490 ask for a permit to drive even though it had been suspended for
1491 different reasons, including the paying -- nonpayment of fines.

1492 But let's face it, if there is no adverse consequences of
1493 substance for not paying a fine, then fines will not get paid,
1494 and so this is the Federal Government saying, we don't want people
1495 to pay fines and so we're putting a heavy hand on the scale of
1496 justice to change what a state feels is appropriate.

1497 States disagree on different ways to do things, and even
1498 though we have, or Congress has in the past had financial
1499 incentives to change what a state would -- felt like was the best
1500 way to proceed, it doesn't mean we should continue to do that.

1501 I just -- we are eroding the Constitution. We are taking
1502 away states' rights, and I'm a little confused from the bill.

1503 I mean, one of the ongoing problems that I saw in felony court,
1504 where you couldn't get to felony court unless you had three DWIs,
1505 at least two prior DUIs, if you prefer, and a driver's license

1506 under state law was automatically suspended for a period.

1507 But your license could be suspended for the failure to pay
1508 fees, and what I saw in felony court was if the fees weren't being
1509 paid there was also another violation, another driving under the
1510 influence or some other criminal provision.

1511 Yet, this is saying it doesn't matter. If you just have
1512 a provision that says you can suspend a license for nonpayment
1513 of fees it doesn't matter that you don't even ever use it unless
1514 it's really egregious.

1515 That's enough to keep from getting the money we're going
1516 to throw at your state if you will just get rid of this law.

1517 So I've got real problems. I think this should -- just like
1518 when my Republican -- most of my Republican friends wanted to
1519 impose Texas type tort reform on it -- on Democrats' states, I
1520 didn't feel that was appropriate.

1521 That was up to the states. I like what Texas did, but I
1522 sure don't think we ought to take those rights away from individual
1523 states.

1524 So I think it's up to the state. That's the way the
1525 Constitution was designed, and I cannot support undermining that
1526 Constitution.

1527 You want time? I yield the rest of my time to Mr. Biggs.

1528 Mr. Biggs. I thank the gentleman for yielding, and I was
1529 interested to hear that one of the reasons that we're doing this

1530 bill and we're funding in it is because we have a federal statute
1531 that continues to provide grant money if you -- or federal highway
1532 -- federal highway grant money to states that, basically, suspend
1533 a license for a drug offense.

1534 The normal way that you undo a mandate is not to put in money
1535 to fund a completely separate bill. The normal way you would
1536 undo a mandate is you'd actually repeal that mandate. That's
1537 what we would do.

1538 But instead, what we're doing here is we're convoluting all
1539 of this issue, which is really not a federal issue, which is really
1540 a state issue, because the original issue that -- with regard
1541 to the suspension for drugs was also a state issue and that's
1542 where it should be. That's where this should be. And I
1543 appreciate the gentleman yielding and I'll yield back to the
1544 gentleman.

1545 Chairman Nadler. The gentleman yields back.

1546 For what purpose does Ms. Ross seek recognition?

1547 Ms. Ross. Thank you, Mr. Chairman. To strike the last
1548 word.

1549 Chairman Nadler. The gentlelady is recognized.

1550 Ms. Ross. Thank you, Mr. Chairman, and I just want to
1551 commend to Congresswoman Scanlon on a wonderful bill that will
1552 really help people of North Carolina.

1553 The Driving for Opportunity Act is a clear and necessary

1554 step toward a fairer justice system. As we all know, debtors
1555 prisons were abolished nearly two centuries ago.

1556 Yet, this modern day version persists. It's unjust,
1557 counterproductive to our societal and economic goals, and
1558 antithetical to our democratic values.

1559 In my state, as we have heard at the beginning, this -- these
1560 fines and taking away driver's licenses disproportionately
1561 affects African Americans and folks in rural areas. It increases
1562 economic and racial inequalities and decreases effort efforts
1563 toward fairness.

1564 People -- when people can't contribute to our economy and
1565 provide financial stability for their families, we all suffer.

1566 In North Carolina, if someone's convicted of a crime, the fines
1567 get piled on.

1568 A hundred and fifty dollars is a standard fee, \$600 if an
1569 expert testifies, and \$12 just to use the court facilities.
1570 Unsurprisingly, an estimated number of -- 85 percent of inmates
1571 leave prison owing money to the court.

1572 This isn't justice. It becomes retribution. By providing
1573 incentives to states to stop debt-based driver's license
1574 suspension, the Driving with Opportunity Act gives both states
1575 and individuals the opportunity for growth and progress.

1576 It's also why I introduced H.R. 1372, the Protecting Jobs
1577 Act, to prohibit states from suspending professional licenses

1578 due to student loan default. Suspending licenses impedes
1579 productive work. It is no way to achieve a more just and
1580 prosperous society.

1581 I urge my colleagues to support this very, very important
1582 bill, and thank you, Mr. Chairman. I yield back.

1583 Chairman Nadler. The gentlelady yields back.

1584 For what purpose does Ms. Scanlon seek recognition?

1585 Ms. Scanlon. I would seek unanimous consent to introduce
1586 letters of support for this bill from 24 bipartisan attorneys
1587 general, the U.S. Chamber of Commerce, Americans for Prosperity,
1588 a coalition including the ACLU, FOP, Association of State Highway
1589 and Transportation Officials, and the Free to Drive Coalition.

1590 Chairman Nadler. Without objection.

1591 [The information follows:]

1592

1593 *****COMMITTEE INSERT*****

1594 Chairman Nadler. For what purpose does Mr. Johnson seek
1595 recognition?

1596 Mr. Johnson of Georgia. I move to strike the last word,
1597 Mr. Chairman.

1598 Chairman Nadler. The gentleman is recognized.

1599 Mr. Johnson of Georgia. Thank you, Mr. Chairman.

1600 I want to rise in support of the underlying legislation.

1601 I want to commend Congresswoman Scanlon for introducing this
1602 very far-reaching, very important, profound bill, and I sincerely
1603 hope that it passes the House and Senate and gets signed into
1604 law.

1605 I want to tell you a little story. You know, my son, who
1606 is 30 years old, will be graduating from undergrad with a degree
1607 in pre-med on Saturday, the 15th of May. We're so proud of him.

1608 You see, he dropped out of school when he was in the 10th
1609 grade. He did not graduate from high school. He ended up getting
1610 a GED and working his way through community college.

1611 He finally transferred to a four-year institution and now
1612 he's getting ready to achieve, you know, something that seemed
1613 unachievable for him.

1614 But I say that about him. I want to put that aside and I
1615 want to go to another young man who I spoke with a couple of weeks
1616 ago while he was in jail, and this young man also dropped out
1617 of high school. He never did get his GED and he's been kind of

1618 floundering around like many people do.

1619 And he ended up about a month ago getting a job with the
1620 county sanitation department on the back of a garbage truck, and
1621 but one day, about two weeks after he started working, he got
1622 stopped on his way to work driving a car and his license had been
1623 suspended for nonpayment of a misdemeanor possession of marijuana
1624 probation fee.

1625 And by the way, in Georgia, when you get convicted of
1626 misdemeanor marijuana, what happens to you by operation of law,
1627 you use -- your driver's license is suspended and you have to
1628 go get a -- get it reinstated. It costs, like, \$200 for the
1629 reinstatement fee plus \$25 for something else, and this, that
1630 and the other.

1631 So in other words, for a possession of marijuana -- less
1632 than an ounce -- violation, you get your license suspended, and
1633 then once your license gets suspended, if you don't have the money
1634 to pay to get it reinstated, then it's just suspended, and your
1635 first driving on a suspended -- suspended license violation like
1636 this young man, you know, I mean, if you collect those, the third
1637 one is a felony. Or if you get a fleeing or attempting to elude
1638 or a DUI, any combination of what's classified as a serious driving
1639 offense becomes a felony, a habitual violator in Georgia and
1640 that's how a lot of kids, young people, end up with felony
1641 convictions.

1642 And once you get the felony that disqualifies you from
1643 student loans and so many other things. So we have become a such
1644 a punitive society and we continue to pile on one act after another
1645 that causes you to pay fines and before you know it, you've got
1646 so much that you can't pay.

1647 So they took that young man to jail on his way to his job
1648 that he had just started. So what happens? He was in jail for
1649 two weeks before he got to court and the court reinstated his
1650 probation for failure to pay, you know, fines and all of this.

1651 And so, you know, this young man was able to get his job back.

1652 But it just shows you the difference between the outcomes
1653 for people depending sometimes on different factors. My son had
1654 the support of his mother and his father. That young man doesn't
1655 have the support of his mother and father, you know, but and so
1656 my son is in a better situation.

1657 That other young man, because of poverty, is now routed into
1658 a system of back and forth to jail because you can't pay. So
1659 it's a poverty tax. And so let's pass this legislation so that
1660 we can stop taxing people for being poor. Let's start giving
1661 people an opportunity to move away from the mistakes of their
1662 youth and into a productive adulthood, raising their families.

1663 And by the way, this legislation provides a route for the
1664 cities and states to have a revenue stream once they comply with
1665 this new state -- with this new federal law.

1666 So it's -- this is a good piece of legislation that is
1667 actually going to help people. It's going to shut the pipeline
1668 or narrow the pipeline from the streets into the jails and then
1669 eventually into the prisons for so many people.

1670 And with that, I will yield back.

1671 Chairman Nadler. The gentleman yields back.

1672 Does anyone else seek recognition on this amendment?

1673 [No response.]

1674 Chairman Nadler. In that case, the question occurs on the
1675 amendment. I will point out that since this amendment does not
1676 affect the operation of the bill in any way but simply amends
1677 the findings in a factually correct manner, I recommend approval
1678 of the amendment. We will not oppose the amendment.

1679 All in favor say aye.

1680 Opposed, nay.

1681 The ayes have it and the amendment is approved.

1682 Are there any further amendments to H.R. 2453?

1683 Mr. Bishop. Mr. Chairman, I have an amendment at the desk.

1684 Chairman Nadler. The gentleman has an amendment at the
1685 desk. The clerk will report the amendment.

1686 Voice. I reserve a point of order.

1687 Mr. Valdez. Amendment to H.R. 2453, offered by Mr. Bishop
1688 of North Carolina.

1689 Chairman Nadler. What point of order is reserved?

1690 Mr. Valdez. Page 8 line six insert after the period --
1691 Chairman Nadler. Without objection, the amendment will be
1692 considered as read.

1693 [The amendment offered by Mr. Bishop follows:]

1694

1695 *****COMMITTEE INSERT*****

1696 Chairman Nadler. The gentleman is recognized for five
1697 minutes.

1698 Mr. Bishop. Thank you, Mr. Chairman.

1699 The amendment would simply prohibit any grants under H.R.
1700 2453 to a state that defunds, disbands, or disestablishment --
1701 disestablishes a law enforcement agency in that state.

1702 Over the past year, Mr. Chairman, we have seen repeatedly
1703 radical calls from Democrats across the country, including in
1704 this body, to defund the police and leave citizens at the mercy
1705 of violent rioters.

1706 Democrats in Congress have alternated between demands to
1707 defund or abolish police and declarations that they haven't done
1708 that or that they didn't really mean it.

1709 The latest example, of course, is the gentlewoman from
1710 Michigan, Ms. Tlaib, who said just a bit over a week ago on April
1711 12 or wrote in a published tweet, "No more policing or
1712 incarceration. It can't be reformed."

1713 More than \$1.7 billion dollars has been cut from police
1714 department budgets over the past year. New York City alone cut
1715 more than a billion dollars from its police department saw a 97
1716 percent rise in shootings and a 45 percent increase in homicides.

1717 In Minneapolis, the city council just recently in the last
1718 couple of months added \$6.4 million in police funding after the
1719 chickens came quickly home to roost following last year's Democrat

1720 rhetoric that quickly produced the result everyone could foresee.

1721 And, frankly, this bill comes from some of the same idea
1722 -- that is to say, the same animating idea to cripple every means
1723 of protecting citizens from crime and criminals.

1724 After all, there's widespread agreement that incarceration
1725 should be used sparingly, particularly to punish nonviolent
1726 crime, and it seems fairly obvious that for those crimes, the
1727 means available -- alternative means available to punish or deter
1728 is to impose fines, fees, restitution, court costs, and simple
1729 logic would suggest that if you have people who are inclined to
1730 commit those sorts of crimes and if they are without means, then
1731 if you make it so that fines cannot be enforced then you've
1732 immunized that conduct.

1733 And so this bill moves in that direction to permit or to
1734 immunize that sort of criminal conduct from any effective
1735 punishment. But at least we can take the opportunity to disavow
1736 that dangerous and radical form of this ideology, the call to
1737 abolish police, and this amendment provides an opportunity in
1738 very simple form for everybody on the House Judiciary Committee
1739 to make clear that we do not support and we will not incentivize
1740 jurisdictions that would leave their citizens at the mercy of
1741 even violent criminals by -- just by defunding or abolishing
1742 police.

1743 And with that, I yield back.

1744 Chairman Nadler. The gentleman yields back. I recognize
1745 myself in opposition to the amendment.

1746 The amendment is simply irrelevant. The amendment states
1747 that the state -- the amendment would penalize a state that
1748 defunds, disbands, or disestablishment of a law enforcement
1749 agency.

1750 This bill does not in any way defund, disband, or
1751 disestablish any law enforcement agency, provides no penalty to
1752 a state. It provides incentives that provides for no defunding,
1753 and that's why in addition to the ACLU the Fraternal Order of
1754 Police support this bill.

1755 So the amendment is simply irrelevant because it doesn't
1756 do anything. It prohibits something -- I should say, it prohibits
1757 something that the bill doesn't do, and it is a waste of -- frankly,
1758 a waste of time and, therefore, I will recommend voting against
1759 this amendment.

1760 Does anyone else seek recognition? And I yield back.

1761 Does anyone else seek recognition on the -- on the amendment?

1762 For what purpose does Mr. Tiffany --

1763 Mr. Tiffany. To strike the last word, Mr. Chair.

1764 Chairman Nadler. The gentleman is recognized.

1765 Mr. Tiffany. Thank you, Mr. Chairman. I know that the
1766 majority continues to tell us that you are not defunding the
1767 police, but the facts tell us differently, and that is why this

1768 amendment being put forth by my colleague from North Carolina
1769 is so important and it is why I rise in support of the amendment,
1770 because I am concerned about the safety of my friends and
1771 neighbors.

1772 I grew up in the shadow of the Twin Cities of Minnesota.
1773 My district is part of the Twin Cities Metro area and we are
1774 all being put at risk by the reckless conduct of a member of this
1775 chamber who traveled to our community for the sole purpose of
1776 inciting violence this past weekend. We have to make sure the
1777 police are funded properly especially when someone is taking such
1778 egregious actions.

1779 Chairman Nadler. Would the gentleman yield for a question?

1780 Mr. Tiffany. I will not. She reportedly, even demanded
1781 a police escort for her visit. The double standard. You don't
1782 want police for the average person in America or Minneapolis,
1783 but by God, you are going to have law enforcement taking care
1784 of you.

1785 She encouraged protesters to get more active, to get more
1786 confrontational. If nothing does not happen, then we have to
1787 not only stay in the streets, but we have to fight for justice.

1788 What an irresponsible and dangerous thing to say. Her comments
1789 were so egregious that the judge in the Chauvin trial admitted
1790 that her words would result in the whole trial being overturned.

1791 That is called jury tampering.

1792 And for people who want justice, which I believe is almost
1793 every American, and particularly in a case like the Chauvin trial,
1794 to jeopardize justice, I think it is safe to say few Americans
1795 will be surprised if the already violent demonstrations we have
1796 seen in Minnesota become full-blown riots complete with the same
1797 looting and arson we saw last summer.

1798 Mr. Chairman, the Democrats in Minneapolis have slashed more
1799 than \$8 million from the police department. The result so far
1800 this year: 20 murders, 128 rapes, 458 robberies, close to 850
1801 aggravated assaults, and over 6,000 property crimes.

1802 Last year: murders up 70 percent from the year previous in
1803 Minneapolis; robberies up 47 percent; arson up 70 percent; a 301
1804 percent increase in carjackings.

1805 And by the way, the lady from L.A., she should talk to the
1806 woman who was protected from a carjacking by the police on the
1807 freeway in Burnsville, Minnesota this past weekend. That woman
1808 happened to be African American who was being protected by the
1809 police.

1810 So I am calling for the Congressman from California to stop
1811 the incitement. I am asking my colleagues who represent portions
1812 of the Twin Cities Metro, people like Representative Kind in the
1813 3d Congressional District right next to mine, do you find this
1814 acceptable that someone comes into our community like this from
1815 over 1,000 miles away and incites in such a way?

1816 You know, think about the United States Senator from
1817 Minnesota, from Minneapolis. She is a former prosecutor. Don't
1818 you find it outrageous that someone would come in and tamper with
1819 a jury?

1820 I support this amendment to stop the defunding of police.
1821 And my main concern now is where does our colleague from
1822 California, where does the next stop in the incitement tour,
1823 because I sure hope it isn't my state, in Madison or Kenosha.
1824 I yield back.

1825 Chairman Nadler. The gentleman yields back. I would
1826 remind my colleagues that the House Rules of Decorum require
1827 members to avoid personalities of other members. This means that
1828 members must not impugn the personal motives of other members
1829 or speak of other members in a derogatory fashion. To help us
1830 observe these rules I encourage members of this committee to
1831 address their remarks to the chair and to refrain from referring
1832 to each other in the second person.

1833 What purpose does Mr. Cicilline seek recognition?

1834 Mr. Cicilline. I move to strike the last word.

1835 Chairman Nadler. The gentleman is recognized. Will the
1836 gentleman yield to me?

1837 Mr. Cicilline. Yes, of course.

1838 Chairman Nadler. I thank the gentleman for yielding.

1839 I would simply point out that Mr. Tiffany's remarks were

1840 totally irrelevant. Regardless of what one thinks of so-called
1841 defunding the police or anything else, the bill doesn't have
1842 anything to do with that. Simply read the bill. And that is
1843 why this amendment that says that defunding or this is--that
1844 defunding the police essentially is ineligible to receive a grant
1845 under this paragraph is also irrelevant because the bill doesn't
1846 defund anything. The bill provides incentives but no defunding.
1847 So hope members will talk about the amendments that are relevant
1848 to the bill or will offer amendments that are relevant to the
1849 bill, as this one certainly isn't. I will yield back the balance
1850 to Mr. Cicilline.

1851 Mr. Cicilline. Thank you, Mr. Chairman. And I think you
1852 are exactly right: This is an amendment which is completely
1853 irrelevant, but of course our friends on the other side of the
1854 aisle know that. This is an opportunity or an excuse for them
1855 to make a bunch of speeches about issues that have nothing to
1856 do with this bill.

1857 We have 1 in 5 minutes and even 5 in 10-minute opportunities
1858 to do that, but it is frankly disrespectful to the members of
1859 this committee that you are you using a markup on a serious piece
1860 of legislation that will really help people so you can pontificate
1861 about some of our colleagues. Let us--

1862 Mr. Gohmert. I would--

1863 Mr. Cicilline. --be very clear. I ask the gentleman--

1864 Mr. Gohmert. I would ask the gentleman's--

1865 Mr. Cicilline. --to yield. I ask the gentleman--

1866 Mr. Gohmert. --words be taken down.

1867 Mr. Cicilline. I ask the gentleman to yield to a question.

1868 Chairman Nadler. Excuse me. The gentleman has the time.

1869 Mr. Cicilline. I ask the gentleman if he would yield--

1870 Mr. Gohmert. Not to impugn--

1871 Mr. Cicilline. --for a question.

1872 Mr. Gohmert. --the integrity of other members, he doesn't

1873 have the time.

1874 Chairman Nadler. The gentleman has the time.

1875 Mr. Cicilline. I ask the gentleman if he would yield to

1876 a question. The question would be can you tell me if there is

1877 a single state in America that is defunding, disbanding or

1878 disestablishing a law enforcement agency of that state?

1879 The reason I wanted to ask him that question is because the

1880 answer is no. It doesn't have to--and by the way, Democrats are

1881 not proposing that. In fact, we have as Democrats funded the

1882 police to the tune of hundreds of millions of dollars in our relief

1883 package and every single one of my Republican colleagues on the

1884 other side of the aisle voted against it.

1885 So there is one party that has defunded the police, or at

1886 least tried to by voting against funding for the police, that

1887 are my friends on the other side of the aisle. The Democrats

1888 in fact have provided substantial resources to the police, a
1889 series of pieces of legislation and funding on the Floor of this
1890 House.

1891 And so this is again an opportunity, sadly, of my Republican
1892 colleagues to raise an issue which they claim Democrats are
1893 arguing for, which is not true, but they are using this markup
1894 as an opportunity to promote this big lie. The Democrats are--

1895 Mr. Gohmert. Excuse me. That is--

1896 Mr. Cicilline. --defunding the police.

1897 Mr. Gohmert. --a violation of the rules. You just--

1898 Chairman Nadler. It is not--

1899 Mr. Gohmert. --lectured on--

1900 Chairman Nadler. The gentleman will--

1901 Mr. Gohmert. --the violation of the rules--

1902 Chairman Nadler. The gentleman will suspend--

1903 Mr. Gohmert. --and that member is specifically--

1904 Chairman Nadler. The gentleman--

1905 Mr. Gohmert. --violating the rules--

1906 Chairman Nadler. The gentleman--

1907 Mr. Gohmert. --and your instruction.

1908 [Simultaneous speaking.]

1909 Mr. Gohmert. Are we going to have rules or not?

1910 Chairman Nadler. It is not a violation of the rule. The
1911 gentleman will proceed.

1912 Mr. Cicilline. Thank you, Mr. Chairman.

1913 Mr. Gohmert. Well, then you should withdraw your--

1914 Mr. Cicilline. Thank you, Mr. Chairman.

1915 Mr. Gohmert. --toward Mr. Tiffany.

1916 Mr. Cicilline. With all due respect, Mr. Gohmert, I control
1917 the time.

1918 And so let's return back to this piece of legislation. I
1919 regret that a very important bill that will have a really
1920 significant impact on families that we all represent all across
1921 this country is being at least temporarily distracted from by
1922 this amendment. It is an amendment which is wholly irrelevant.

1923 The CARES Act, I will just remind folks included 1.25 billion
1924 in grant funding for local police for states. Every single one
1925 of our colleagues on the other side of the aisle voted against
1926 that funding. So how dare the claim be made in this committee
1927 or any place that anyone is trying to defund the police?

1928 And again this amendment says a state that is doing it.
1929 There is no state in America where this is happening. This is
1930 a make believe argument to give folks an opportunity to promote
1931 this claim which we know is untrue. It is infuriating. I urge
1932 everyone to reject this amendment and I yield back.

1933 Chairman Nadler. The gentleman yields back.

1934 For what purpose does Mr. Jordan seek recognition?

1935 Mr. Jordan. Thank you, Mr. Chairman. Move to strike the

1936 last word.

1937 Chairman Nadler. The gentleman is recognized.

1938 Mr. Jordan. So the Democrats have a bill that says to
1939 political jurisdictions if you change your law, if you do it the
1940 way we want, we will give you money and our colleague from North
1941 Carolina comes with an amendment and says if you engage in certain
1942 behavior, we are not going to give you that money. It is entirely
1943 relevant. The chairman has twice now used the term irrelevant.
1944 This is as relevant as it gets.

1945 Last week the Democrats started off the week with one of
1946 our colleagues from Detroit saying no more policing. We just
1947 heard the gentleman from Rhode Island say the Democrats haven't
1948 talked about defunding the police.

1949 Mr. Cicilline. No, no, that is what I said.

1950 Mr. Jordan. One of their members said--

1951 Mr. Cicilline. I didn't say--

1952 [Simultaneous speaking.]

1953 Mr. Jordan. --we want no more policing. No more policing.

1954 And let me just--the Democrat-run cities: New York City cut a
1955 billion dollars from its police department's budget and saw a
1956 97 percent increase in shootings. Los Angeles cut \$170 million
1957 from its budget, saw an 11.6 percent increase in homicides;
1958 Austin, Texas, a \$150 million cut, 50 percent spike in homicides;
1959 Portland, Oregon, a \$12 million cut, eliminated three police

1960 units, shootings went up 173 percent, murders up 25 percent.

1961 I would bet the people, the residents of those communities think

1962 this amendment is relevant, for goodness' sake.

1963 Democrats started the week last week saying get rid of

1964 police. They ended the week with one of our colleagues, Democrat

1965 colleague, being admonished by a judge for the ridiculous things

1966 that they said. And somehow the gentleman from North Carolina's

1967 amendment is not relevant? Are you kidding me? This is as

1968 relevant as it gets, as timely as it gets. And I hope we could

1969 actually agree on something and adopt the gentleman's amendment.

1970 With that I yield back my time.

1971 Mrs. Demings. Mr. Chairman?

1972 Chairman Nadler. The gentleman yields back. For what

1973 purpose does the gentl lady from Florida seek recognition?

1974 Mrs. Demings. Move to strike the last word.

1975 Chairman Nadler. The gentl lady is recognized.

1976 Mrs. Demings. Mr. Chairman, I want to make it quite clear

1977 that this amendment is completely irrelevant. I served as a law

1978 enforcement officer for 27 years. It is a tough job, and good

1979 police officers deserve your support.

1980 You know, it is interesting to see my colleagues on the other

1981 side of the aisle support the police when it is politically

1982 convenient to do so. Law enforcement officers risk their lives

1983 every day. They deserve better and the American people deserve--

1984 [Simultaneous speaking.]

1985 Mrs. Demings. I have the floor, Mr. Jordan.

1986 Chairman Nadler. The gentlelady has the floor.

1987 Mrs. Demings. What, did I strike a nerve?

1988 Chairman Nadler. The gentle--

1989 Mrs. Demings. Law enforcement officers--

1990 Chairman Nadler. The gentlelady--

1991 Mrs. Demings. --deserve better than to be utilized--

1992 Chairman Nadler. The gentle--

1993 Mrs. Demings. --as pawns.

1994 Chairman Nadler. The gentlelady--

1995 Mrs. Demings. And you and your colleagues--

1996 Chairman Nadler. The gentlelady will--

1997 Mrs. Demings. --should be ashamed--

1998 Chairman Nadler. The gentlelady--

1999 Mrs. Demings. --of yourselves.

2000 Chairman Nadler. The gentlelady will suspend and the clock

2001 will be stopped.

2002 I want to admonish members they must not interrupt someone

2003 who has the time.

2004 Mr. Jordan. Mr. Chairman, consider a question?

2005 Chairman Nadler. You simply can't shout out. If you think

2006 that someone is saying--

2007 Mr. Jordan. I agree.

2008 Chairman Nadler. If you--

2009 Mrs. Demings. Mr. Jordan, you don't know what in the heck

2010 you are talking about.

2011 Mr. Jordan. I agree. Yes, I do.

2012 Mrs. Demings. You know nothing about what law enforcement

2013 officers--

2014 Mr. Jordan. I know about my motive.

2015 Mrs. Demings. --and you are using them as pawns because

2016 it is--

2017 [Simultaneous speaking.]

2018 Chairman Nadler. Everyone--

2019 Mrs. Demings. --ridiculous political party.

2020 Chairman Nadler. Now everyone will suspend. I am making

2021 the point. No one may shout out when someone else has the time.

2022 Mr. Gohmert?

2023 Mr. Jordan. Question, Mr. Chairman?

2024 Chairman Nadler. Not Mr. Jordan. Nobody--

2025 Mr. Jordan. Not Mr. Cicilline?

2026 Chairman Nadler. Not--

2027 Mr. Jordan. Not Mrs. Demings.

2028 Chairman Nadler. Didn't do that. Nobody--

2029 Mrs. Demings. Not Mr. Jordan.

2030 [Simultaneous speaking.]

2031 Mr. Jordan. I mean, no, but I agree with that, but--

2032 Chairman Nadler. Then how do we--everybody--I have a
2033 question.

2034 Chairman Nadler. I will simply--there is no question.

2035 Mr. Jordan. I got the same question.

2036 Chairman Nadler. Nobody may shout out.

2037 Mr. Jordan. When you give a speech, Mr. Chairman, about--

2038 Chairman Nadler. Nobody--

2039 Mr. Jordan. --motives and questioning motives and then when
2040 motives are questioned--

2041 Mrs. Demings. This is emotionally charging for me because
2042 I was a law enforcement officer.

2043 Mr. Jordan. --how do you address that?

2044 Chairman Nadler. The rules allow a request--

2045 Mrs. Demings. I have--

2046 [Simultaneous speaking.]

2047 Mrs. Demings. --and die and you know nothing about that
2048 and to utilize them as political pawns--

2049 Mr. Gohmert. Mr. Chairman, I have a point of inquiry.

2050 Chairman Nadler. People will address--

2051 Mr. Gohmert. Mr. Chairman, I have a point of inquiry.

2052 Chairman Nadler. People will address comments to the chair.

2053 Mr. Gohmert. Mr. Chairman?

2054 Chairman Nadler. The rules do not permit shouting out when
2055 someone else has the time. The only thing you may do when someone

2056 else has the time is you may raise a point of order if you think
2057 it proper and the chair will then rule on the point of order.

2058 Mr. Jordan. Point of order, Mr. Chairman.

2059 Chairman Nadler. The gentleman will state his point of
2060 order.

2061 Mr. Jordan. So you gave us a lecture on people questioning
2062 our motives. When someone questions our motives, how do we
2063 address it when they are in the act of questioning our motives?

2064 Chairman Nadler. It is not a point of order.

2065 Mr. Jordan. Yes, it is.

2066 Chairman Nadler. That is not a point of order.

2067 Mrs. Demings. Mr. Chairman, may I continue, please?

2068 Chairman Nadler. It is not a point of order. Mrs. Demings
2069 has the time and the clock will resume. The gentlelady is
2070 recognized.

2071 Mrs. Demings. Mr. Chairman, I am glad to hear that my
2072 colleagues on the other side of the aisle are on the side of law
2073 enforcement now because I don't know where my colleagues on the
2074 other side of the aisle have been over the last four years
2075 including on January 6 when police officers who protect us every
2076 day were fighting for their lives because of the big lie that
2077 was told. And my colleagues on the other side of the aisle were
2078 silent as one person after another person took the microphone
2079 and said go down there and engage in combat, fight like hell.

2080 They used the bicycle racks as deadly missiles against the law
2081 enforcement officers that you all say you care about so much.

2082

2083 And thank you, Mr. Cicilline, because you are absolutely
2084 right: the only person who voted to support local governments
2085 and pass legislation to support local governments that includes
2086 law enforcement were the Democratic members on this side of the
2087 aisle.

2088 But now today you support law enforcement. Well, that is--I
2089 am delighted to know that, but don't support them when it is
2090 politically convenient for you to do so. Support them when they
2091 are under attack by people fighting them and spraying them and
2092 knocking them to the ground and beating them with poles, carrying
2093 the American flags and pipes.

2094 Mr. Chairman, I thank you and I yield back.

2095 Chairman Nadler. The gentlelady yields back. For what
2096 purpose does Mr. Roy seek recognition?

2097 Mr. Roy. Move to strike the last word.

2098 Chairman Nadler. The gentleman is recognized.

2099 Mr. Roy. Appreciate the chairman. I would note that the
2100 gentlelady references January 6. Speaking for myself and at
2101 least a few others in this room on this committee, I was one of
2102 those members that voted not to object, that took the floor
2103 acknowledging some of the issues that occurred on January 6.

2104 And everybody in this room, regardless of how they voted on January
2105 6, understands exactly what Capitol Police did in standing up
2106 and defending this institution. And in fact just today the
2107 Republican Conference presented certificates and awards and
2108 commendations recognize law enforcement that stood on the floor
2109 of the Capitol to defend this body.

2110 I did not serve in law enforcement, but I was the first
2111 assistant attorney general of Texas and had about 170 law
2112 enforcement reporting to me. I was a former federal prosecutor
2113 and worked with law enforcement. My grandfather is the chief
2114 of police of a small Texas town. My great-great-grandfather was
2115 a Texas Ranger in Texas. I come from a family that is heavily
2116 devoted to law enforcement and the rule of law.

2117 I understand and I have heard the arguments that FOP supports
2118 this legislation. That is fine. The reason that we are rising
2119 and the reason that the gentleman from North Carolina's amendment
2120 matters is because what we are talking about nationwide; in
2121 response by the way that nobody is cutting anything, that is just
2122 not true, is that we are seeing dramatic cuts and attacks on law
2123 enforcement. It is happening in real time.

2124 Austin, Texas, run by Democrats, slashed the police
2125 department, and they are absolutely demoralized. They are
2126 crushed. Go talk to the law enforcement. They are fleeing the
2127 city. And now the city is overrun by homeless encampments and

2128 it is dangerous and people don't go downtown, our beautiful city
2129 in Austin, Texas, because of a radical leftist city council.
2130 And that radical leftist city council takes funding from this
2131 body.

2132 All of the funding everybody talked about--oh, you voted
2133 against all of that great local government funding. Because we
2134 spent \$6 trillion in the last year -- \$6 trillion--we are talking
2135 about grants with money we don't even have. We are talking
2136 about--and we are arguing about grant money we literally don't
2137 have. Where we mortgage our children's future and we pretend
2138 we are not doing it.

2139 Thirty trillion dollars of debt. Six trillion dollars in
2140 a year. It cost us 4 trillion in today's dollars to win World
2141 War II from beginning to end. And this Democrat Congress blew
2142 through \$6 trillion in a year doing nothing, nothing to make this
2143 country better or stronger. It is an absolute abomination.

2144 And then to listen to members of this body say, and I quote,
2145 "I hope we get a verdict that says guilty, guilty, guilty, and
2146 if we don't, we cannot go away, we got to stay on the street.
2147 We get more active. We have got to get more confrontational.
2148 We have got to make sure they know that we mean business."

2149 How irresponsible can a member of Congress be than to say
2150 that and then to have the judge in the case that the whole nation
2151 is watching say that that might throw the case out on appeal?

2152 That is what we are talking about.

2153 We are talking about the quote by another member of this
2154 body. It wasn't an accident. Policing in our country is
2155 inherently and intentionally racist. I am done with those who
2156 condone government-funded murder. Government-funded murder.
2157 No more policing. Quote, "No more policing, incarceration and
2158 militarization. It can't be reformed."

2159 To say this is irrelevant, it is the central issue of our
2160 day right now to make sure this country is safe. And when we
2161 are talking about federal grant money being doled out--and by
2162 the way, what does the bill start with? Quote, "To provide grants
2163 to states that do not suspend, revoke, or refuse." That is what
2164 we do. We throw out money and then we demand action. And all
2165 my friends from North Carolina is doing is saying don't defund
2166 the cops. I yield to the ranking member.

2167 Mr. Jordan. I thank the gentleman for yielding.

2168 Republicans have been consistent. The gentlelady from
2169 Florida said Republicans care about law enforcement today. We
2170 have cared about law enforcement all the time. It has been the
2171 Democrats--we condemned the violence on January 6 and we condemned
2172 it last summer.

2173 It would have been nice if our colleagues on the other side
2174 had done the same. All last summer when police were being pelted
2175 with frozen water bottles, bricks and beat up where were they?

2176 They were raising bail, to bail out the rioters and looters who
2177 were doing those very actions to the police. And today we get
2178 a lecture about how we haven't been consistent? You got to be
2179 kidding me.

2180 We have been consistent. You guys haven't and you know it.
2181 That is why you are so--that is why you are all so fired up.
2182 The gentleman's amendment is right on target and I hope we adopt
2183 it. I yield back.

2184 Chairman Nadler. The gentleman yields back. For what
2185 purpose does the gentlelady from Texas seek recognition?

2186 Mrs. Jackson Lee. Mr. Chairman, I rise to strike the last
2187 word.

2188 Chairman Nadler. The gentlelady is recognized.

2189 Mrs. Jackson Lee. Let me first of all thank Ms. Scanlon
2190 for a very thoughtful bill. There will be a number of Americans
2191 who as this bill passes in the Senate and goes to the President's
2192 desk will have their lives revitalized. Many of them are my
2193 constituents who have just literally been derailed with licenses
2194 being taken away and professional licenses, the inability to keep
2195 your job.

2196 Mr. Johnson made very clear they are the every man and woman
2197 in our district who are working at laboring jobs and need that
2198 car and didn't have the money to pay, and then they are thrown
2199 off the job and lo and behold into jail.

2200 This is a life-saving bill, congresswoman, and I thank you.

2201 No one realizes the life-saving aspect of this legislation.

2202 But to my colleagues who have taken to the mighty pulpit
2203 to condemn those individuals who in essence are speaking the truth
2204 of their life career, congresswoman from Florida, another member
2205 who I know is not violent but comes out of the Civil Rights Movement
2206 just like Dr. King who said we had to march in the streets. The
2207 very existence of us in the streets as Black Americans was
2208 confrontational only because of who we are.

2209 But if you have had no life experience of being oppressed,
2210 being arrested for simple things, fighting for civil rights, then
2211 you cannot understand that. But I ask the question why the
2212 President of the United States on January 6 said we will never
2213 give up? We will never concede. And shortly thereafter violent
2214 domestic terrorists terrorized the United States Capitol, the
2215 citadel of democracy.

2216 So the podiums that you are rising to you have every right.

2217 The First Amendment is broad. We can go through the litany of
2218 comments made on January 6 by members of this body that were
2219 inciting, sending forward the troops. And any of you who have
2220 spoken to these officers, they were literally crushed, not only
2221 physically, but they could not believe Americans were coming with
2222 sticks and stones.

2223 So it is not the point of this legislation, but freedom of

2224 speech allows members to get to the podium and bring up all kinds
2225 of manner of things.

2226 Let me just take it to this place: I was in Minneapolis
2227 yesterday in the courtroom, in the court house, the closing
2228 arguments. I was with the Floyd family, the most prayerful,
2229 sensitive, loving people that love this country. All that we
2230 were doing were praying for justice. They are praying today for
2231 justice. You might join us. And I use the interpretation of
2232 justice, a just justice.

2233 So this debate in this room today to try to make mockery
2234 of the pain of the people that I represent, the Floyd family,
2235 who have done everything they could to stand by police, to call
2236 for peace, peaceful protests, and yes, to stand by the family
2237 of Daunte Wright in the midst of their struggle.

2238 That is what America is all about, people who have been harmed
2239 so much so that the world is watching, but they have stood by
2240 good policing and law enforcement from Houston to across the
2241 nation. That is who the Floyd family is.

2242 That is what America is all about. And that is what we should
2243 be talking about than making a mockery of legislation that is
2244 frankly a life saver to innocent young people who made a misstep
2245 and they wind up because of thieves and because of inability to
2246 pay. And this will provide grants to maybe put them on track.

2247 They can get a GED. They can finish college. They can go on

2248 and be contributing citizens.

2249 In Ferguson, Missouri, I went to the very little street where
2250 Michael Brown was shot dead. Why? Unnecessarily. But as we
2251 unveiled the scab in that city, and I say it with no disrespect,
2252 you found that 90 percent of the city's money -- and I may have
2253 upped that a little bit -- was all on--in the Black community
2254 with all kinds of traffic stops and fees and fines. That is why
2255 this bill is necessary. It happens across America.

2256 So let me just say we don't need to do word game here. We
2257 need to understand that this is a place where you can speak your
2258 mind and any allegations of who incited what or not, you really
2259 can't throw any sticks right now because we have a history of
2260 what happened on January 6 and before and then we have someone
2261 who has walked a life where they had to be able to stand up.
2262 And that is all this is about as we stand up and pray for justice
2263 in Minneapolis. But this bill is a lifesaving bill that should
2264 be passed. I rise to support the bill offered by Congresswoman
2265 Scanlon, and that is H.R. 2453. With that, I yield back, Mr.
2266 Chairman.

2267 Chairman Nadler. The gentlelady yields back. For what
2268 purpose does the gentleman from Texas seek recognition?

2269 Mr. Gohmert. I rise in support of this amendment.

2270 Chairman Nadler. The gentleman is recognized.

2271 Mr. Gohmert. I didn't really hear Mr. Tiffany say anything

2272 that was violative of the rules of decorum, but when another
2273 member, a Democratic member, accuses us of intentionally
2274 misrepresenting a bill, that is a violation of the rules of
2275 decorum. And I am hoping one day we will have evenhanded
2276 enforcement and pronouncement of the rules so that one side is
2277 protected and the other pursued.

2278 I haven't heard anybody making a mockery of this legislation.
2279 I have heard very serious discussion about it. And I haven't
2280 heard anybody making a mockery of the George Floyd situation.
2281 That is nothing to be mocking about. But we are taking up
2282 this legislation and we are usurping a state's rights. And the
2283 only worse than accusing someone of intentional misrepresentation
2284 is when the person making that allegation states facts that simply
2285 are not true.

2286 So to be clear about the debunking, heck, this is an article
2287 from last August: "At least 13 U.S. cities have cut funding from
2288 the police department budgets or decreased officer numbers with
2289 several more in the process amid a national reckoning over
2290 systemic racism and police brutality. Austin, Texas is the
2291 latest city to announced a defunding effort. City council on
2292 Thursday voted unanimously to cut 150 million from the police
2293 budget. Further, the country's two largest cities: New York and
2294 Los Angeles, approved budget cuts weeks after protests began.
2295 New York slashed \$1 billion from its 2021 budget. And Los

2296 Angeles approved a 150 million budget cut." And that is to do
2297 with police. "But anyway, in California, San Francisco approved
2298 120 million cut. Washington, D.C. approved a 15 million cut."
2299

2300 So to represent that and actually accuse Republicans of lying
2301 about efforts to defund the police around the country is simply
2302 a very, very mistaken and wrong position because that has been
2303 an ongoing effort and I am not aware of a single Republican that
2304 has supported that situation.

2305 Now, I know if you look at what some of the fees go to pay
2306 for, some of those fees are utilized for different aspects of
2307 law enforcement in the local community, and this bill would
2308 provide an incentive not to have to pay those fees, some of which
2309 is used locally. So there are legitimate concerns about the
2310 Federal Government exceeding our 10th Amendment powers and
2311 subsuming the powers of the state. That is the concern here.

2312

2313 And I would humbly submit that the Constitution is rather
2314 important to defend here and it is not become of some intentional
2315 desire to make a mockery of this legislation. I think everybody
2316 is taking it very, very seriously and that is why we are having
2317 the extended discussion that we are about it.

2318 In any event I haven't heard anything from the Republican
2319 side that would be violative of the rules of decorum and I hope

2320 that we will stop hearing things from the other side that violate
2321 that. And under the rules when there is someone who is violating
2322 the rules of decorum, then it is allowed to interrupt someone
2323 under our House Rules, but I know those change on a whim, but
2324 that is currently my understanding of the rules. With that I
2325 yield back.

2326 Chairman Nadler. The gentleman yields back. For what
2327 purpose does the gentlelady from Pennsylvania seek recognition?

2328 Mrs. Scanlon. I move to strike the last word.

2329 Chairman Nadler. The gentlelady is recognized.

2330 Mrs. Scanlon. Returning to the bill at hand, I would oppose
2331 the proposed amendment on the basis that it is irrelevant to the
2332 purpose and subject of the bill and would note again that the
2333 bill as written is supported by the National FOP, the Law
2334 Enforcement Action Partnership, the National District Attorneys
2335 Association, and half the states' attorney general across the
2336 country.

2337 Like the bipartisan drive to end mass incarceration with
2338 the recognition that it is failed policy, this bill encourages
2339 states to end the practice of suspension of driver's licenses
2340 for debts and fines unrelated to public safety and has garnered
2341 support from groups as diverse as Americans for Prosperity and
2342 the ACLU. Research has also shown that places that have ended
2343 this practice have not had an impact on revenue. In fact in some

2344 places revenue has gone up because people have been better able
2345 to pay their bills, or their fines.

2346 An article written by Midwestern prosecutors gets straight
2347 to the point: "Suspending licenses hasn't worked as an
2348 enforcement tool. It is time we acknowledge that and stop doing
2349 it. Driver's license suspensions should be reserved for the sole
2350 purpose of ensuring safe roads, not demanding payment from people
2351 who may be struggling to meet their family's basic needs. This
2352 practice costs jobs, economic growth, undermines public safety,
2353 and places an economic burden on states."

2354 With that I would urge passage of the underlying bill and
2355 yield back.

2356 Chairman Nadler. The gentlelady yields back. For what
2357 purpose does the gentleman from Colorado seek recognition?

2358 Mr. Buck. Move to strike the last word.

2359 Chairman Nadler. The gentle is recognized.

2360 Mr. Buck. Mr. Chairman, I have listened to the discussion
2361 and I am reminded of a statement that my friend from Florida made
2362 last week when we were discussing some bills, and she said that
2363 when she saw the Judiciary Committee, it was something about and
2364 here we go again. It was some statement like that. And
2365 unfortunately I think here we go again.

2366 My friend from Rhode Island; and I do consider him a friend,
2367 said that not a single state has defunded the police. And that

2368 is true, but many cities have defunded the police. And it is
2369 concerning to many of us that cities have taken those actions
2370 and that Democrats in those cities have led those actions and
2371 that no Democrat in Congress has spoken up, very loudly anyway,
2372 about those actions.

2373 And if in fact this bill is not about--well, I will move
2374 on from that point. I think it is incumbent on people to speak
2375 out when something like defunding the police occurs and they
2376 support the police.

2377 And I again suggest that my friend from Rhode Island, when
2378 he says that we voted against funding 1.25 billion for police
2379 in COVID relief bill that was trillions of dollars, I don't think
2380 anybody voted against that COVID relief bill because of the
2381 funding for police. We voted against that COVID relief bill
2382 because it was irresponsible spending and it was spending on an
2383 order of magnitude that many of us believe will hurt this country
2384 for years to come.

2385 And again it is an unfair suggestion that anyone voted
2386 against that bill for that reason. I certainly didn't hear in
2387 the floor speeches anyone suggest that the police funding was
2388 the reason that they voted against that bill.

2389 And I think it really shameful and something that we should
2390 stop doing in this committee, and that is blaming members of
2391 Congress for what happened on January 6. My friend from Texas,

2392 Congressman Roy, and I spent days writing a statement that was
2393 joined by four or five other Republicans; in fact, I don't see
2394 Mr. Massie here, but he joined us in that statement, where we
2395 disagreed with many of our Republican colleagues. And so it
2396 wasn't all Republicans on one side of the issue or another
2397 objecting to the statements or the vote of the Electoral College.
2398 And I think it is wrong to suggest that everyone on our side
2399 of the aisle was--that took that position.

2400 I also think it is wrong when the gentlelady from Texas
2401 objected to--in 2016 to the Electoral College and she objected
2402 when President Trump won and no one suggested that she didn't have
2403 the right to or that it was somehow improper or unconstitutional
2404 to make that objection. She did it. The House did the right
2405 thing in that case and we moved on.

2406 And so I hope that at some point we can address the merits
2407 of this bill. And I think all of us, or many of us on this side
2408 of the aisle have said that this bill is meritorious and that
2409 it should be considered. I have the same problem that my friend
2410 from Arizona, Mr. Biggs, has, and that that is it the role of
2411 the Federal Government to incentivize this kind of state action?

2412 I recognize my friend from Rhode Island saying that we do this
2413 all the time. And I vote against all the time also and I just
2414 have a problem with that.

2415 But I would like to ask the gentlelady from Pennsylvania

2416 if I may a question about this bill.

2417 Mrs. Scanlon. Certainly.

2418 Mr. Buck. If we take away the fines and excuse the fines,
2419 how do we change the underlying conduct? If someone is speeding
2420 and gets a fine and can't afford the fine, how do we--I mean,
2421 I know, I obey the speed limit sometimes; not all the time, but
2422 sometimes because I am concerned about the fines. I am concerned
2423 about safety. I am concerned about a lot of things. But one
2424 of those things is being caught by the police. I think most of
2425 us driving on the highway recognize that we could be caught if
2426 we are speeding and so we try to stay within the law. How do
2427 we try to encourage the right conduct by motorists in this
2428 situation if we don't have fines?

2429 Mrs. Scanlon. Overwhelmingly this isn't related to
2430 motorists. Safety violations are completely different. So we
2431 are talking about court fines and fees with respect to different
2432 things including the federal statute that required the imposition
2433 of driver's license suspension for drug offenses having nothing
2434 to do with road conduct.

2435 Mr. Buck. Okay.

2436 Mrs. Scanlon. So it is just one type of enforcement
2437 mechanism. There could be wage garnishment, there could be law
2438 suits, other methods of getting enforcement. So it is just one
2439 of many.

2440 Mr. Buck. But any conduct that we are trying--

2441 Chairman Nadler. The gentleman's--

2442 Mr. Buck. Oh, I am sorry. I apologize. I yield back.

2443 Chairman Nadler. The gentleman's yields back. For what

2444 purpose does the gentleman of Ohio seek recognition?

2445 Mr. Chabot. Move to strike the last word.

2446 Chairman Nadler. The gentleman is recognized.

2447 Mr. Chabot. Thank you, Mr. Chairman. Nearly a year ago

2448 we watched the horrific death of George Floyd. In its aftermath

2449 there has been considerable focus, especially by the media, on

2450 a few bad actors within police departments across the country.

2451 That focus has led in turn for calls by some to defund or disband

2452 or dismantle police.

2453 In my view this legislation is just another part of that

2454 effort. Often local law enforcement operations are supported

2455 by fines and fees collected as a result of civil or criminal

2456 activity.

2457 Since H.R. 2453 makes no distinction between those who cannot

2458 pay fines and fees and those who simply refuse to do so, the result

2459 will be devastating to police departments across the U.S. and

2460 will likely result in increased taxes to hard-working law-abiding

2461 citizens.

2462 I represent Ohio's First Congressional District which

2463 includes much of the City of Cincinnati. Nearly two decades ago

2464 a young African American teenager; I think he was 19 at the time,
2465 Timothy Thomas, was fatally shot by an officer in the
2466 Over-the-Rhine neighborhood of Cincinnati.

2467 In 2002, following protests and civil unrest, the city,
2468 police representatives, community leaders and local, federal and
2469 state officials entered into a collaborative agreement to build
2470 positive, constructive relationships between police department
2471 and communities they serve.

2472 The collaborative agreement, which is what it was called,
2473 implemented many of the reforms that we are discussing today:
2474 revised use of force policies, required training to focus on
2475 de-escalation, increased transparency, establish an independent
2476 citizen complaint authority to publicly investigate allegations
2477 against officers, and required the use of automatic body cameras,
2478 among other things.

2479 The results have not been perfect. For example, there is
2480 a ballot measure on May's ballot, just a couple of weeks from
2481 now, to defund the police to the tune of \$50 million per year
2482 and then take that money and put into so-called affordable
2483 housing. But we have seen a dramatic improvement in local
2484 police/community relations. Also arrests and serious crimes
2485 have decreased across the city, and notably excessive use of force
2486 and violence against police officers has decreased.

2487 But these positive results are not the result of heavy-handed

2488 mandates from the Federal Government like the legislation that
2489 we are considering here today. Rather, the changes are more
2490 attributable to the grassroots collaborative process which
2491 required everyone involved to put aside their political agendas
2492 and work together. Both the police and the communities they serve
2493 had to reach out to each other and come together to address
2494 concerns and problem areas, and through that process those
2495 involved began to see each other less as adversaries and more
2496 as partners.

2497 With those realizations communications improved and over
2498 time trust and good will have been built. And now when problems
2499 do arise in Cincinnati, they are approached in a predominantly
2500 civil, respectful manner due to years of cooperation and direct,
2501 honest communication.

2502 Instead of various recent attempts to defund the police,
2503 one of my Democratic colleagues recently just--I think I was a
2504 week or so ago, basically proposed abolishing all police and
2505 abolishing all incarceration. So no place to put criminals, even
2506 violent criminals. And so that was her suggestion.

2507 So even though we have seen those types of things said and
2508 proposed, we should use training, data collection and other
2509 reforms to weed out the bad actors and make sure that those who
2510 remain, which are the vast majority of police officers, have all
2511 the resources and support that they need to do their job

2512 effectively, safety, and fairly. And that is what we ought be
2513 working on.

2514 This legislation is but another effort by the majority to
2515 appease the far left, to enact a law which will have dire
2516 consequences, that will put innocent American lives in jeopardy.

2517 That is why the legislation itself is so bad and I would recommend
2518 that my colleagues on both sides of the aisle oppose it. And
2519 I would thank the gentleman from North Carolina for introducing
2520 his very common-sense amendment. I support the amendment. I
2521 would urge my colleagues to support that amendment, oppose the
2522 bill, and I yield back my time.

2523 Chairman Nadler. If there are no further speakers, the
2524 question occurs on the amendment. All in favor, say aye.
2525 Opposed, no. The nays have it.

2526 Mr. Bishop. Mr. Chairman, request a recorded vote.

2527 Chairman Nadler. Recorded vote is requested. The clerk
2528 will call the roll.

2529 Mr. Valdez. Mr. Nadler?

2530 Chairman Nadler. No.

2531 Mr. Valdez. Mr. Nadler votes no.

2532 Ms. Lofgren?

2533 Ms. Lofgren. No.

2534 Mr. Valdez. Ms. Lofgren votes no.

2535 Ms. Jackson Lee?

2536 [No response.]

2537 Mr. Valdez. Mr. Cohen?

2538 Mr. Cohen. No.

2539 Mr. Valdez. Mr. Cohen votes no.

2540 Mr. Johnson of Georgia?

2541 [No response.]

2542 Mr. Valdez. Mr. Deutch?

2543 [No response.]

2544 Mr. Valdez. Ms. Bass?

2545 Ms. Bass. No.

2546 Mr. Valdez. Ms. Bass votes no.

2547 Mr. Valdez. Mr. Jeffries?

2548 Mr. Jeffries. No.

2549 Mr. Valdez. Mr. Jeffries votes no.

2550 Mr. Valdez. Mr. Cicilline?

2551 Mr. Cicilline. No.

2552 Mr. Valdez. Mr. Cicilline votes no.

2553 Mr. Swalwell?

2554 [No response.]

2555 Mr. Valdez. Mr. Lieu?

2556 Mr. Lieu. No.

2557 Mr. Valdez. Mr. Lieu votes no.

2558 Mr. Raskin?

2559 [No response.]

2560 Mr. Valdez. Ms. Jayapal?
2561 Ms. Jayapal. No.
2562 Mr. Valdez. Ms. Jayapal votes no.
2563 Mrs. Demings?
2564 Mrs. Demings. No.
2565 Mr. Valdez. Ms. Demings votes no.
2566 Mr. Correa?
2567 Mr. Correa. No.
2568 Mr. Valdez. Mr. Correa votes no.
2569 Ms. Scanlon?
2570 Ms. Scanlon. No.
2571 Mr. Valdez. Ms. Scanlon votes no.
2572 Ms. Garcia?
2573 [No response.]
2574 Mr. Valdez. Mr. Neguse?
2575 Mr. Neguse. No.
2576 Mr. Valdez. Mr. Neguse votes no.
2577 Mrs. McBath?
2578 [No response.]
2579 Mr. Valdez. Mr. Stanton?
2580 Mr. Stanton. Stanton votes no.
2581 Mr. Valdez. Mr. Stanton votes no.
2582 Ms. Dean?
2583 Ms. Dean. No.

2584 Mr. Valdez. Ms. Dean votes no.
2585 Ms. Escobar?
2586 Ms. Escobar. No.
2587 Mr. Valdez. Ms. Escobar votes no.
2588 Mr. Jones?
2589 Mr. Jones?
2590 [No response.]
2591 Mr. Valdez. Ms. Ross?
2592 Ms. Ross. No. Ross votes no.
2593 Mr. Valdez. Ms. Ross votes no.
2594 Ms. Bush?
2595 [No response.]
2596 Mr. Valdez. Mr. Jordan?
2597 Mr. Jordan. Mr. Jordan votes yes.
2598 Mr. Chabot?
2599 Mr. Chabot. Aye.
2600 Mr. Valdez. Mr. Chabot votes aye.
2601 Mr. Gohmert?
2602 Mr. Gohmert. Aye.
2603 Mr. Valdez. Mr. Gohmert votes aye.
2604 Mr. Issa?
2605 [No response.]
2606 Mr. Valdez. Mr. Buck?
2607 Mr. Buck. Aye.

2608 Mr. Valdez. Mr. Buck votes aye.

2609 Mr. Gaetz?

2610 Mr. Gaetz. Aye.

2611 Mr. Valdez. Mr. Gaetz votes aye.

2612 Mr. Johnson of Louisiana?

2613 [No response.]

2614 Mr. Valdez. Mr. Biggs?

2615 Mr. Biggs. Aye.

2616 Mr. Valdez. Mr. Biggs votes aye.

2617 Mr. McClintock?

2618 Mr. McClintock. Aye.

2619 Mr. Valdez. Mr. McClintock votes aye.

2620 Mr. Steube?

2621 Mr. Steube. Yes.

2622 Mr. Valdez. Mr. Steube votes yes.

2623 Mr. Tiffany?

2624 [No response.]

2625 Mr. Valdez. Mr. Massie?

2626 Mr. Massie. Yes.

2627 Mr. Valdez. Mr. Massie votes yes.

2628 Mr. Roy?

2629 Mr. Roy. Aye.

2630 Mr. Valdez. Mr. Roy votes aye.

2631 Mr. Bishop?

2632 Mr. Bishop. Aye.

2633 Mr. Valdez. Mr. Bishop votes aye.

2634 Ms. Fischbach?

2635 Ms. Fischbach. Aye.

2636 Mr. Valdez. Ms. Fischbach votes aye.

2637 Ms. Spartz?

2638 Ms. Spartz. Yes.

2639 Mr. Valdez. Ms. Spartz votes yes.

2640 Mr. Fitzgerald?

2641 Mr. Fitzgerald. Aye.

2642 Mr. Valdez. Mr. Fitzgerald votes aye.

2643 Mr. Bentz?

2644 Mr. Bentz. Yes.

2645 Mr. Valdez. Mr. Bentz votes yes.

2646 Mr. Owens?

2647 [No response.]

2648 Ms. Garcia. Mr. Chairman?

2649 Chairman Nadler. Ms. Garcia?

2650 Ms. Garcia. How am I recorded?

2651 Mr. Valdez. Ms. Garcia, you are not recorded.

2652 Ms. Garcia. I vote no.

2653 Mr. Valdez. Ms. Garcia votes no.

2654 Ms. Garcia. Thank you, Mr. Chairman.

2655 Chairman Nadler. Mr. Swalwell?

2656 Mr. Swalwell. Mr. Chairman, how is--

2657 Mr. Valdez. Mr. Swalwell, you are not recorded.

2658 Mr. Swalwell. Swalwell votes no.

2659 Mr. Valdez. Mr. Swalwell votes no.

2660 Chairman Nadler. Mr. Jeffries?

2661 Mr. Jones. This is Jones. How am I recorded?

2662 Mr. Valdez. Mr. Jones, you are not recorded.

2663 Mr. Jones. I am a no.

2664 Mr. Valdez. Mr. Jones votes no.

2665 Mr. Owens. This is Owens. Am I recorded? Burgess Owens.

2666 Am I recorded?

2667 Mr. Valdez. Mr. Owens, you are not recorded.

2668 Mr. Johnson of Georgia. Mr. Chairman, am I recorded? Hank

2669 Johnson?

2670 Chairman Nadler. Mr. Johnson?

2671 Mr. Valdez. Mr. Johnson of Georgia, you are not recorded.

2672 Mr. Owens. Am I recorded? This is Burgess Owens.

2673 Mr. Valdez. Mr. Owens, you are not recorded.

2674 Mr. Owens. I am a yes.

2675 Mr. Valdez. Mr. Owens votes yes.

2676 Chairman Nadler. Mr. Johnson of Georgia?

2677 Do you have Mr. Johnson of Georgia?

2678 Mr. Johnson of Georgia, you are not recorded.

2679 Ms. Jackson Lee. How am I recorded?

2680 Chairman Nadler. Who is that?

2681 Ms. Jackson Lee. How am I recorded?

2682 Mr. Valdez. Ms. Jackson Lee, you are not recorded.

2683 Ms. Jackson Lee. No.

2684 Mr. Valdez. Ms. Jackson Lee, could you turn on your camera,
2685 please?

2686 Chairman Nadler. Mr. Cohen?

2687 Ms. Jackson Lee. Did they not get it?

2688 SPEAKER: They did not get it.

2689 Ms. Jackson Lee. No. No. Definitely no.

2690 Mr. Valdez. Ms. Jackson Lee votes no.

2691 Chairman Nadler. Mr. Cohen?

2692 Mr. Valdez. Mr. Cohen is recorded as no.

2693 Chairman Nadler. Okay.

2694 Are there any other members who haven't voted who wish to
2695 be recorded?

2696 The clerk will report.

2697 Mr. Valdez. Mr. Chairman, there are 16 ayes and 20 noes.

2698 Chairman Nadler. The amendment is not agreed to.

2699 Are there any further amendments?

2700 Mr. Roy. Mr. Chairman, I have an amendment--

2701 Chairman Nadler. For what purpose does Mr. Roy seek
2702 recognition?

2703 Mr. Roy. Mr. Chairman, I am going to offer an amendment--

2704 Mr. Cicilline. Mr. Chairman, I reserve a point of order.

2705 Mr. Roy. --to insert.

2706 Chairman Nadler. The gentleman is recognized--well, the
2707 clerk will record the amendment.

2708 [The Amendment offered by Mr. Roy follows:]

2709

2710 *****COMMITTEE INSERT*****

2711 Mr. Valdez. Amendment to H.4. 2453 offered by Mr. Roy of
2712 Texas. Page 5, insert after line 8 the following and redesignate
2713 succeeding paragraphs accordingly:

2714 Chairman Nadler. The amendment will be considered as read.
2715 Point of order is reserved. The gentleman is recognized to
2716 explain his amendment.

2717 Mr. Roy. Yes, thank you, Chairman. We have got an
2718 amendment that is to modify the findings and to insert a new
2719 finding and adjust accordingly.

2720 We are all here because obviously this issue directly impacts
2721 law enforcement. And so issues have been raised about the extent
2722 to which this particular provision and this particular process
2723 burdens law enforcement officers and prosecutors.

2724 Now obviously this is the Judiciary Committee so there is
2725 a number of former law enforcement officials and a number of former
2726 judges, former prosecutors in this room. I am a former
2727 prosecutor; a whole bunch here are. And we are all aware of
2728 prosecutorial discretion. And I just wanted to make note that
2729 important in consideration of this is that law enforcement and
2730 prosecutorial discretion exists in all jurisdictions and can be
2731 used to not enforce provisions that suspend or revoke a driver's
2732 license for non-payment of a fine or fee. It is stating the
2733 obvious.

2734 But the point here as the gentleman from Arizona, Mr. Biggs,

2735 and the gentleman from Texas, Mr. Gohmert, and others have noted
2736 about this being predominantly, and in fact solely in this case,
2737 a state issue to make this determination and that this is a
2738 continuation of the use of federal dollars to micromanage local
2739 law enforcement. They can choose to go down this path or not.
2740 They can choose to suspend licenses for fines or not. And the
2741 only purpose of doling out grants is to spend money we don't
2742 have--I will repeat that one more time: Spend money we don't
2743 have in the form of grants in order to make states do what this
2744 body thinks that the state ought to do.

2745 And that is what we are doing, right? That is what we always
2746 do here in Washington is we take money we do not have and we either
2747 forcibly take it from citizens in the form of taxes or we borrow
2748 it from China or elsewhere, or we print it, mortgaging our
2749 children's future, and then we go and we spend a day arguing over
2750 X millions of dollars of grant money to go out and coerce states
2751 into some behavior that we think is best.

2752 And this is the problem. We are governing by fiat from
2753 Washington and I think that it is important to note that these
2754 states have in all cases, these local jurisdictions have the
2755 ability to exercise discretion and not do this. That is it.
2756 I mean, you can choose to do it or not do it.

2757 I mean, and I understand the--but they can. The state laws
2758 can be written.

2759 Mr. Cicilline. Will the gentleman yield just on one point?

2760 Mr. Roy. I will yield to the gentleman.

2761 Mr. Cicilline. I think there are a number of jurisdictions
2762 in which suspensions and fines are mandatory. So once someone
2763 is convicted, there is no discretion. And so to say all states
2764 can decide not to this is just not true. There are many, many
2765 jurisdictions where imposition of a fine for a suspension of a
2766 license is mandatory upon conviction with no discretion by the
2767 sentencing judge.

2768 Mr. Roy. Reclaiming my time. And I understand the
2769 gentleman's point that there are some laws that cause that to
2770 be enforced. So many jurisdictions don't have that, like
2771 probably most. Most don't have a mandate. But some that might
2772 have that mandate coming up from statute, it is still up to the
2773 discretion of the state. And law enforcement officer and
2774 prosecutors still have general prosecutorial discretion, but to
2775 the extent that there are some specific limits, again that is
2776 up to the state. So all this is doing is recognizing--and, you
2777 know, I would certainly accept a modification to "in all or most
2778 jurisdictions," or strike "all" and make it "most."

2779 My main point just including this is that in general terms
2780 prosecutors and local law enforcement have discretion on what
2781 to do. And then overriding all of that, and the whole reason
2782 we are having this discussion, is that states have ultimate

2783 jurisdiction to make a decision about what they think is in the
2784 best interest of the people of their state. And--

2785 Chairman Nadler. Would the gentleman yield?

2786 Mr. Roy. And--

2787 Chairman Nadler. Would the gentleman yield?

2788 Mr. Cicilline. I will yield to the chairman. Yes, sir.

2789 Chairman Nadler. Yes, again the gentleman is correct, I
2790 think. It simply says law enforcement and prosecutor discretion
2791 exists in all jurisdictions; that is true, and the bill doesn't
2792 change that. The bill doesn't change that and it says it can
2793 be used to not enforce provisions that suspend or revoke a driver's
2794 license. States can certainly do that. So I think I would not
2795 oppose the amendment because it is useless, but it is also
2796 harmless.

2797 Mr. Roy. Well with that, I will yield.

2798 Chairman Nadler. For what purpose does Mr. Fitzgerald seek
2799 recognition?

2800 Mr. Fitzgerald. Move to strike the last word.

2801 Chairman Nadler. The gentleman is recognized.

2802 Mr. Fitzgerald. I was going to say that there are
2803 relationships at the local level in which even some legislatures
2804 have now developed for instance drug courts where they have built
2805 relationships directly with those that--both the circuit judge
2806 or even a municipal judge--has built that type of relationship

2807 with those that are doing the prosecuting or those that are doing
2808 the defending. And as a result of that it is kind of a unique--I
2809 don't want to do anything here that would destroy that flexibility
2810 that currently exists. So I would just yield back on that.

2811 Chairman Nadler. The gentleman yields back. Is there any
2812 further discussion on this amendment? If not, the question
2813 occurs on the amendment. All in favor, say aye. Opposed, nay.
2814 The ayes have it. The amendment is adopted.

2815 Are there any further amendments? For what purpose does
2816 Mr. Gohmert seek recognition?

2817 Mr. Gohmert. I have an amendment at the desk.

2818 [The Amendment by Mr. Gohmert follows:]

2819

2820 *****COMMITTEE INSERT*****

2821 Mr. Cicilline. Mr. Chairman, I reserve a point of order.

2822 Chairman Nadler. Point of order is reserved.

2823 Mr. Valdez. Amendment to H.R. 2453 offered by Mr. Gohmert
2824 of Texas. Page 8, line 6 enter--

2825 Chairman Nadler. Without objection, the amendment is
2826 considered as read. The gentleman from Texas is recognized to
2827 explain his amendment.

2828 Mr. Gohmert. In this amendment I know the bill as proposed
2829 be subject to interpretation, but it certainly appears that it
2830 could be--a state could be prevented from receiving grant money
2831 if the unpaid fines and fees included fines or fees related to
2832 non-payment of child support. I was thinking I was going to find
2833 within the effective language some exception for that, but I don't
2834 find that. And so this should make it clear.

2835 Anybody that has worked in the court system knows that a
2836 major problem is non-payment of child support and the child ends
2837 up suffering because the parents have got some big disagreement
2838 and one required to pay child support is not paying that child
2839 support. And I would hate to think that we pass something in
2840 the House that gave people a reason not to have to pay child
2841 support, but there are fines, fees and other consequences that
2842 most states have when it comes to the non-payment of child support.

2843 And this amendment just seeks to make that clear because I don't
2844 think it is the author's intention to give incentive not to pay

2845 child support. And this would make it very clear.

2846 So that is the purpose of the amendment and why I hope it
2847 will be passed and be part of the bill. With that I yield back.

2848 Chairman Nadler. The gentle yields back. I recognize
2849 myself in opposition to the amendment. I believe the policies
2850 that we are incentivizing in this bill, we are incentivizing the
2851 states to adopt in which the bill gives the states a choice as
2852 to whether or not to adopt are important enough that we should
2853 not incentivize limitations on the turning away from the practice
2854 of suspending driver's licenses because of unpaid fines and fees.

2855 Such suspensions are counterproductive and don't make sense as
2856 a general matter. Let's not reduce the impact of this bill.
2857 I therefore oppose the amendment. I yield back.

2858 Who seeks recognition?

2859 Ms. Scanlon. I seek to move to strike the last word.

2860 Chairman Nadler. For what purpose does Ms. Scanlon seek
2861 recognition?

2862 Ms. Scanlon. Just move to strike the last word.

2863 Chairman Nadler. The gentlelady is recognized.

2864 Ms. Scanlon. Just to respond to Mr. Gohmert's concern, the
2865 bill clearly defines what is affected here as a fine or a fee,
2866 and child support is clearly not defined as a fine or a fee.
2867 It is a court mandate, so it would fall outside the scope of this
2868 bill and that is why it was written in that way. There is

2869 absolutely no intention of language to subject child support.
2870 So I would oppose the amendment and I yield back to the chair.
2871 Chairman Nadler. The lady yields back. Does anyone else
2872 seek recognition on the--for what purpose does Mr. Biggs seek
2873 recognition?
2874 Mr. Biggs. Thank you. Thank you, Mr. Chairman.
2875 So, I just want to --
2876 Chairman Nadler. Move to strike the last word?
2877 Mr. Biggs. Yes, I move to strike the last word. Thank you.
2878 Chairman Nadler. The gentleman is recognized.
2879 Mr. Biggs. Thank you.
2880 Chairman Nadler. You must never forget to strike the word.
2881 [Laughter.]
2882 Mr. Biggs. I will try never to forget that.
2883 Chairman Nadler. The long-suffering word. But go ahead.
2884 Mr. Biggs. Yes, that poor word.
2885 Mr. Chairman, look, I just want to just say, as we debate
2886 these bills, we go back and forth. Sometimes passions get high,
2887 but sometimes there is so motivation that gets impugned. I mean
2888 it does. And I try to understand that maybe I am not as moderated
2889 in my language as I should be from time to time, but I am trying
2890 to understand that.
2891 But I have to make two quick points, Mr. Chairman, if I can.
2892 No. 1 is that debate occurs usually because we are serious about

2893 an issue. If we didn't think an issue was serious, we wouldn't
2894 be debating it extensively and seriously. And to say that it's
2895 a mockery, that really gets to somebody's intention and it also
2896 trivializes what somebody is saying, and that is unfortunate,
2897 because I don't think we should trivialize what anybody in here
2898 is saying. I think everybody in here is a serious person trying
2899 to do serious things.

2900 And then, the other point I need to make is yelling does
2901 not make something true. Yelling simply does not make it true.

2902 And I was just flabbergasted at the extent of the histrionics
2903 that were going on recently.

2904 And also, I would say I was actually trying to make a point
2905 of order because I think that is the proper way to do it, but
2906 there was so much commotion going on, I am sure the chairman did
2907 not hear me trying to make that point of order.

2908 But I raise that because, as we get in these debates -- and
2909 you were trying to make the point of decorum, but sometimes I
2910 guess I feel that my motivations are impugned, and I think we
2911 should discuss that.

2912 But, with that, Mr. Chairman, I'm going to yield to the
2913 gentleman from Texas.

2914 Mr. Gohmert. I thank my friend from Arizona.

2915 Like I had said earlier, I understand the intent is not
2916 necessarily to prevent or to give incentive not to pay child

2917 support fees, but fees could include child support. It could
2918 include those payments that are made to incentivize the payment
2919 of child support. I don't see fees as being as restrictive as
2920 the author does. And if there is one thing I have learned since
2921 I have been in Congress, what is said in here about what something
2922 means is not necessarily anything at all like what the Supreme
2923 Court or other courts will say that meaning is. So, when there
2924 is any question at all, it is always better to make it clear within
2925 the bill itself. Even legislative intent rarely seems to make
2926 its way into our highest court.

2927 So, fees are just what the word says -- fees. And that would,
2928 arguably, include child support fees. I think it would help to
2929 have the amendment to make it clear. I am a little surprised
2930 that there is pushback on this, but since there is, people need
2931 to understand this is really important to have this in here, so
2932 that it is never said the Judiciary Committee and the United States
2933 House supported incentivizing not paying child support. And that
2934 could be argued, and I don't want it to ever be argued. So, that
2935 is why the amendment is there, and I urge people to vote for it.

2936 And I yield back to my friend from Arizona.

2937 Ms. Scanlon. Would the gentleman yield? Would the
2938 gentleman yield?

2939 Mr. Biggs. And I just urge people to --

2940 Ms. Scanlon. Would the gentleman yield just for a note?

2941 Mr. Biggs. -- support the bill.

2942 I'm sorry?

2943 Ms. Scanlon. Would you yield just for a minute?

2944 Mr. Biggs. Yes, I will yield for 40 seconds.

2945 Ms. Scanlon. Forty seconds.

2946 Mr. Biggs. Yes.

2947 Ms. Scanlon. I was just going to note that there is a federal
2948 mandate, there is a federal-state program, the Child Support
2949 Enforcement Program, which requires suspension of licenses for
2950 child support payment. So, there is already a preexisting
2951 federal mandate to do this. So, the amendment would not be there.

2952 Mr. Biggs. Mr. Chairman, I will yield back to you.

2953 Chairman Nadler. The gentleman yields back.

2954 Does anyone else seek recognition?

2955 [No response.]

2956 Chairman Nadler. In that case, the question occurs on the
2957 amendment. All in favor, say aye.

2958 Opposed, no.

2959 The noes have it.

2960 Are there any further amendments?

2961 For what purpose does Mr. Roy seek recognition?

2962 Mr. Roy. I have an amendment at the desk.

2963 Mr. Cicilline. Mr. Chairman, I reserve a point of order.

2964 Chairman Nadler. A point of order is reserved.

2965 The clerk will report the amendment.

2966 Mr. Valdez. "Amendment to H.R. 2453 offered by Mr. Roy of

2967 Texas. Page 8, line 6, insert after" --

2968 Chairman Nadler. Without objection, the amendment is

2969 considered as read.

2970 [The amendment of Mr. Roy follows:]

2971

2972 ***** COMMITTEE INSERT *****

2973 Chairman Nadler. The gentleman is recognized to explain
2974 his amendment.

2975 Mr. Roy. I thank the chairman.

2976 Since we are talking about grants, and then, how grants are
2977 then being used -- again, grants for which we have no money, by
2978 the way -- grants being used to force states into certain action,
2979 and that action is to ensure that individuals maintain their use
2980 of identification, be able to have their driver's license. It
2981 should be, I think, equally important that people are able to
2982 use said identification to vote, to ensure the integrity of our
2983 elections.

2984 We have seen over the years a continued degradation in the
2985 faith of the American people in our election system. I think
2986 that was made very clear, regardless of one's perspective, it
2987 is very clear that an enormous block of the American people simply
2988 do not trust that our elections are reflecting the will of the
2989 people.

2990 And one of those reasons is because of a lack of belief that
2991 people who are voting are who they say they are. There is ample
2992 evidence that this is a problem. There is ample evidence,
2993 particularly, that this is a problem in coordination with mail-in
2994 ballots.

2995 And if we are going to play the game of spending federal
2996 dollars that we don't have to encourage states to engage in

2997 behavior, a practice I generally am not in favor of, I would
2998 suggest that, if we are going down that road, as we are here,
2999 to do something that I think is, essentially, meddling in the
3000 affairs of state and local law enforcement, I would suggest that
3001 it would be important for us to take the opportunity, since we
3002 are talking about identifications -- driver's licenses tend to
3003 be the main form of identification used by most Americans in most
3004 states, if not all states -- that we would be able to say that
3005 those driver's licenses should be being used by the constituents
3006 of the states to ensure that our federal elections have the full
3007 faith and confidence of the American people by ensuring that those
3008 states use voter identification in carrying out elections.

3009 We simply don't want to have a continued lack of confidence
3010 in our election systems. And I would point out that it was true
3011 in 2016 fall/2017 spring that my Democrat colleagues were stating
3012 lots of questions about the elections and raising points of
3013 concern about the elections, lack of trust in the elections.
3014 They didn't like the outcome.

3015 I would note that we have got a lot of issues raised about,
3016 obviously, this past November's elections. And we needn't even
3017 get into the specific details of that to say that we certainly
3018 think it is critically important that, if you are going to use
3019 an identification to, for example, pick up tickets at a Major
3020 League Baseball game -- say, for example, in Atlanta, Georgia,

3021 as opposed to, say, Denver, Colorado -- that perhaps you can use
3022 an identification to vote.

3023 Or that if, for example, you use voter identification --
3024 or if you use identification, a driver's license, typically, to
3025 fly on, say, Delta Airlines, or perhaps, say, American Airlines,
3026 that perhaps you should be able to use said driver's license or
3027 identification to vote in your election, so that the people of
3028 your state can believe in and trust in the confidence of your
3029 election system.

3030 I think that it is long past time that we just acknowledge
3031 that it would be far better for our Republic that we come together
3032 on a bipartisan basis, adopt and believe in the use of
3033 identification, as we do in all walks of life, to ensure the
3034 integrity of our election system upon which our Republic depends,
3035 and for the future and security of our people, our kids and our
3036 grandkids, to believe in this great Republic.

3037 And with that, I will yield back.

3038 Chairman Nadler. The gentleman yields back.

3039 I will recognize myself in opposition to the amendment.

3040 Once again, the amendment has nothing to do with the bill.

3041 The bill provides grants to states for driver's license
3042 reinstatement programs for driver's licenses. It has nothing
3043 to do with federal elections or photo identification at all.
3044 So, this amendment has nothing to do with the bill. It is simply

3045 confusing matters, and I, therefore, oppose the amendment and
3046 urge that it not be adopted.

3047 I yield back. Who seeks recognition?

3048 Mr. Cicilline. Mr. Chairman?

3049 Chairman Nadler. For what purpose does the gentleman seek
3050 recognition?

3051 Mr. Cicilline. I move to strike the last word.

3052 Chairman Nadler. The gentleman is recognized.

3053 Mr. Cicilline. Thank you.

3054 Mr. Chairman, you know, it is funny, we were just lectured
3055 for the last couple of hours about how important it was not to
3056 tell states what to do, but I guess that was an hour ago, by our
3057 colleagues on the other side of the aisle.

3058 But, to your point, this amendment incentivizes behaviors
3059 that have nothing to do with the underlying bill. But, more than
3060 that, it has everything to do with making it more difficult for
3061 people to vote in this country.

3062 And, you know, I think it gives me the occasion, since my
3063 Republican colleagues have used this hearing to talk about every
3064 other issue but the bill, I welcome the opportunity to talk about
3065 H.R. 1 and democracy. Because the former President's own
3066 National Security -- I'm sorry -- only the official in charge
3067 of election security found that the election we had in 2020 was
3068 the most secure election in American history. And in many places,

3069 it included record levels of participation. That is good and
3070 healthy for our democracy.

3071 And elections are not unreliable simply because you don't
3072 like the results. Let me repeat that: elections are not
3073 unreliable simple because you don't like the results. And I would
3074 venture to say that, despite my friend's claim that one of the
3075 reasons people are questioning the legitimacy of the election
3076 is the absence of voter ID laws, my suggestion is that most people
3077 don't know the status of voter ID laws in the 50 states.

3078 And I daresay that, actually, the source of discomfort with
3079 the election comes more from trusted elected leaders who, rather
3080 than acknowledging what the former President's official in charge
3081 of elections then saying this is the most secure election in
3082 American history, have promoted some different version -- that
3083 other people won the election and that it was stolen, and all
3084 these other kind of crazy conspiracy theories; that maybe that
3085 is the source of some of the uncertainty.

3086 And so, voter ID laws make it more difficult for people to
3087 vote. Sadly, all across America, as we sit here today, 46 state
3088 legislatures are engaged in an effort to make it more difficult
3089 for people to vote; to take away early voting, to take away vote
3090 by mail; to make it more difficult, particularly for people in
3091 communities of color, to access the ballot box, the most
3092 fundamental right in our democracy.

3093 And that is why I was so proud that Democrats passed H.R.
3094 1 to make it easier for people to vote, to make sure that the
3095 voices of the American people are heard in our elections, and
3096 that we remove unnecessary barriers, so that every person who
3097 is legally entitled to vote, to have their voice heard, in fact,
3098 gets to do that. We should all support that effort.

3099 And so, this amendment gives me an opportunity to say this
3100 is something where there is a real contrast between Democrats
3101 and Republicans. We didn't secure a single vote in the most
3102 important pro-democracy bill and ethics reform since Watergate,
3103 considered by this Congress in H.R. 1. Not a single one of our
3104 friends on the other side of the aisle saw fit to support access
3105 to the ballot; removing dark money from our campaign; raising
3106 ethical standards; bringing greater transparency -- H.R. 1, a
3107 historic effort to return power to the people of this country
3108 and our democracy.

3109 And so, that, coupled with efforts by Republican legislators
3110 across the country to make it more difficult to vote, the last
3111 thing I think we should do is include an incentive in this bill
3112 for states to engage in an effort to make it harder for people
3113 to vote. We should be doing just the opposite. In fact, we
3114 should have amendments that say a state that doesn't make it easier
3115 for people to vote, that doesn't have vote by mail or early voting,
3116 or automatic voter registration -- the things that will actually

3117 amplify the voices of the American people, that is what we should
3118 be doing, not making it harder for people to have their voices
3119 heard.

3120 You know, one of the reasons people have lost some faith
3121 in government is because they don't think they have a voice.
3122 They think corporate money has a bigger voice. They think people
3123 who have easier access to the ballot have a greater voice. Let's
3124 not prove them right. Let's defeat this terrible amendment, pass
3125 the underlying bill, and get to the business of ensuring that
3126 the American people have a voice in their own democracy.

3127 And with that, I yield back, Mr. Chairman.

3128 Chairman Nadler. The gentleman yields back.

3129 Who else seeks recognition?

3130 Mr. Jordan. Mr. Chairman.

3131 Chairman Nadler. For what purpose does the gentleman from
3132 Ohio seek recognition?

3133 Mr. Jordan. To speak on the amendment.

3134 Chairman Nadler. Strike the last word?

3135 Mr. Jordan. Strike the last word, yes.

3136 Chairman Nadler. The gentleman is recognized.

3137 Mr. Jordan. Thank you, Mr. Chairman.

3138 The previous speaker said elections are not unreliable
3139 because you don't like the results. He said it twice: elections
3140 are not unreliable because you don't like the results. Someone

3141 should have told that to Democrats over the last four years.

3142 They had their crazy Russian conspiracy theory. For three
3143 years, we had to live through it -- all kinds of hearings in this
3144 committee on that.

3145 On January 6th, 2017, Democrat after Democrat objected to
3146 the results of the 2016 election. We had the Democrat chair of
3147 the Rules Committee, the gentleman from Massachusetts, objected
3148 to Alabama, the results from Alabama. President Trump won
3149 Alabama in November of 2016, won Alabama by like 30 points. He
3150 objected to that.

3151 We had the lead impeachment manager of the second impeachment
3152 of the President, a colleague here on our committee, he objected
3153 to Florida on January 6th, 2017.

3154 We had another member of the Democrats object to Wyoming,
3155 maybe the only State that President Trump won in 2016 by a greater
3156 margin than he won Alabama.

3157 So, they can do all that, but, somehow, if we question the
3158 results of 2020, somehow, "Oh, you can't do that." Only Democrats
3159 are allowed to object to election results. I didn't know that
3160 was a rule.

3161 So, we just want integrity in our election process. So many
3162 states, like Ohio, you have to show your ID when you go to vote.

3163 I think that's pretty good.

3164 What we were concerned about in this past election was the

3165 unconstitutional manner in which some states changed their
3166 election law in the run-up to the election; namely, Pennsylvania
3167 is maybe the best example, where Pennsylvania law says that
3168 Election Day ends at eight o'clock on Tuesday, and the partisan
3169 State Supreme Court says, "No, we're going to make election end
3170 at five o'clock on Friday for mail-in ballots."

3171 State law says that election law for mail-in, for election
3172 law, you have to have a signature verification, but the partisan
3173 secretary of state, who has since had to resign, by the way, the
3174 Democrat secretary of state in Pennsylvania said, "No, no, no,
3175 no. You have signature verification if you vote in person, but
3176 if you do a mail-in ballot, you don't have to have that" -- for
3177 2.6 million people.

3178 So, those are the concerns we had, based on unconstitutional
3179 changes made, or changes made to election law in an
3180 unconstitutional fashion. But, yes, if elections are not
3181 unreliable because you don't like the results, then somebody needs
3182 to tell the Democrats about that, because they spent three years
3183 of the American people's time and money objecting to what happened
3184 on November 8th, 2016.

3185 With that, I would be happy to yield to the gentleman from
3186 Texas, Mr. Roy.

3187 Mr. Roy. I appreciate the ranking member.

3188 And I would say to my colleagues who raised the questions

3189 about why we would be offering an amendment that puts a hook on
3190 states, when we were giving a speech about not liking that
3191 approach, well, I would be happy to withdraw the amendment if
3192 we withdraw the legislation underlying this that we have concerns
3193 with.

3194 My only point is just simply to make the point, right, we
3195 are hooking into federal dollars our preferences to states. And
3196 so, my point here is what we are talking about are driver's
3197 licenses, which, when I was the first assistant attorney general
3198 of Texas, we had to deal with litigation about how driver's
3199 licenses were difficult to get, and so forth, and that made it
3200 difficult to vote. So, we came up with ways for people to get
3201 a free ID to make sure they could vote, and so forth, under our
3202 voter ID system.

3203 And I'm just saying we are talking about the importance of
3204 having driver's licenses, and I am saying that the importance
3205 of using those driver's licenses is to vote. That's all. I do
3206 think it is relevant. I do think it matters. I do think we should
3207 be talking about it.

3208 And fraud does exist. It exists in real time in Texas,
3209 recent cases in Limestone County, Texas. A social worker in a
3210 State assisted living center is being charged with 134 felony
3211 counts of purportedly acting as an agent in an election fraud,
3212 submitted voter registration applications for 67 residents

3213 without their signature or effective consent.

3214 In Medina County, four people, including an elected justice
3215 of the peace, were charged in February of 150 counts of election
3216 fraud, including ballot harvesting and illegal voting.

3217 In Bexar County, a self-described ballot chaser was arrested
3218 in January and charged with multiple voter fraud felonies.
3219 Investigators say she traded gift-backs for votes.

3220 In Harris County, during the 2018 primary, a video was posted
3221 showing a campaign worker for a state rep candidate. The campaign
3222 worker approached elderly in a care facility and filled out their
3223 ballots and claimed they had already done 400. This led to an
3224 amateur investigation, which, then, the author found that 32 of
3225 the mail-in ballot applications from different voters had the
3226 same handwriting, used the same stamp, and all came from the same
3227 precinct.

3228 I can go through issue after issue, example after example.

3229 And one of the issues that states are wrestling with right now
3230 is the use of voter ID with mail-in votes, so that we can have,
3231 in addition to signature match, we can have something as concrete
3232 as voter identification to ensure that, when mail-in ballots are
3233 submitted, that we know they are coming from a citizen who is
3234 supposed to be voting in that particular election.

3235 I would yield.

3236 Chairman Nadler. The gentleman yields back.

3237 For what purpose does the gentlelady from Pennsylvania seek
3238 recognition, Ms. Dean?

3239 Ms. Dean. I move to strike the last word, Mr. Chairman.
3240 Chairman Nadler. The gentlelady is recognized.

3241 Ms. Dean. Thank you, Mr. Chairman.

3242 No. 1, I do want to remind our good fellows on the other
3243 side of the aisle that ours is a Commonwealth.

3244 Mr. Chairman, I rise in opposition to the amendment. And
3245 let me read one sentence from this amendment to reveal its lack
3246 of relevance.

3247 Quote, they want inserted, the good gentleman from Texas
3248 would like to insert, quote: "A state that does not require that
3249 an individual present ballot photo identification in order to
3250 vote in an election for a federal office is ineligible to receive
3251 a grant under this paragraph."

3252 I ask the entire committee, of what relevance is voter ID
3253 to the worthy legislation that we are talking about? I will
3254 remind everybody, we are talking about Ms. Scanlon's legislation
3255 that is the Driving for Opportunity Act. It is not connected
3256 in any way to elections. It is not connected in any way to the
3257 big lie. It is simply a smart bill that would be a lifesaving
3258 bill that would stop the suspension of license for unpaid fees,
3259 unrelated unpaid fees and fines.

3260 I find it very strange and baffling that some members on

3261 the other side of the aisle don't take this markup with the
3262 seriousness that I believe we all should. We should be talking
3263 about the underlying legislation. We should not be trying to
3264 create voter ID laws in my good Commonwealth of Pennsylvania.

3265 We saw how that worked out in 2011 and 2012, and how they were
3266 struck down as unconstitutional. I served there at the time when
3267 the Supreme Court struck voter ID laws down.

3268 A good reminder to the gentleman on the other side of the
3269 aisle, also, in terms of the last election and Pennsylvania's
3270 modernization of our election laws that sought to get more people
3271 the ability to vote, not fewer, sought to get more people to
3272 exercise their right, their privilege, to vote, and the
3273 responsibility, frankly, to vote. That was a Republican
3274 initiative. The Republican-controlled legislature in
3275 Pennsylvania was the one who put forward, and got passed,
3276 modernization of our election laws. Only when they didn't like
3277 the election, one election's result, in particular, did they think
3278 they might be unconstitutional, which, of course, the Court struck
3279 down.

3280 So, again, I think our constituents ask us to be serious.

3281 My constituents want this underlying legislation passed, so they
3282 will be freed from the constraints of fees and fines taking away
3283 their privilege to drive in order to take care of their families
3284 and their careers.

3285 I ask that the people on the other side of the committee
3286 please stay with the underlying legislation. Bring it the
3287 seriousness that it deserves for your credibility and our own.

3288 And with that, I would yield back.

3289 Chairman Nadler. The gentlelady yields back.

3290 Who seeks recognition?

3291 Mr. Biggs. I do, Mr. Chairman.

3292 Chairman Nadler. For what purpose does the gentleman from
3293 Arizona seek recognition?

3294 Mr. Biggs. Strike the last word.

3295 Chairman Nadler. The gentleman is recognized.

3296 Mr. Biggs. Thank you, Mr. Chairman.

3297 Once again, the other side of the aisle feels it necessary
3298 to demean this particular amendment offered by the gentleman from
3299 Texas with gravity and seriousness. They attempt to demean it
3300 and mock it and condescend to what he is trying to do, be
3301 condescending to that.

3302 And I wanted to just point out something that was said earlier
3303 by one of my colleagues across the aisle talking about H.R. 1
3304 being so important to keep corporate money out of politics. And
3305 by the way, it isn't necessarily our side that is wandering all
3306 over the road talking about different issues. We have heard a
3307 lot of different issues mentioned in relationship to this today,
3308 but one of them was corporate money out of politics.

3309 And I couldn't help but think that it wasn't until just a
3310 few weeks ago that we found out in Arizona that Facebook, Mr.
3311 Zuckerberg, gave millions of dollars to local elections officials
3312 in Arizona. And we still haven't been able to get to the bottom
3313 of how/why he did it. They did it. We know that.

3314 How did that influence the outcome of the election? We don't
3315 know. You want election integrity? Well, let's just face the
3316 facts.

3317 In Maricopa County, they are actually doing a forensic audit.
3318 There is over 100 lawyers from the other side of the aisle trying
3319 to stop that audit, as it goes on as we speak today. Why not
3320 just let the audit go forward and let's find out where the chips
3321 may? President Biden is still going to be sitting in the Oval
3322 Office, regardless, but we could find out what went wrong, if
3323 anything -- if anything. And if something went wrong, we can
3324 correct it.

3325 But I digress just a little bit, but that is in response
3326 to the corporate money out of politics argument I heard just
3327 moments ago.

3328 And with that, I will yield to the gentleman from Texas.

3329 Mr. Roy. I will only add, and I don't want to use too much
3330 time, the goal here is not dilatory. It is simply to raise this
3331 issue.

3332 And I understand my colleagues saying that they think it

3333 is attenuated; it is not maybe directly related to the underlying
3334 measure. I would only offer that the importance -- and I
3335 understand why that my colleagues attach the importance to an
3336 individual having a driver's license to be able to carry out their
3337 vocation. I agree with that and I think it is critically
3338 important. And I think states, because I think that is where
3339 this decision ought to be made, ought to certainly consider all
3340 of that when they are thinking through punishments and how to
3341 ensure people comply and pay fines, and do all the things they
3342 need to do to make the criminal justice system work. I just don't
3343 believe it ought to be occurring here.

3344 And my only point is to say --

3345 Chairman Nadler. Would the gentleman yield?

3346 Mr. Roy. Excuse me?

3347 Chairman Nadler. Would the gentleman yield?

3348 Mr. Roy. Sure.

3349 Chairman Nadler. The states, under the bill, will continue
3350 to make those decisions, without question. The bill simply
3351 provides for grants to incentivize them, as we do on many, many
3352 different subjects. So, I agree with you in that sense.

3353 Mr. Roy. Do you want to reclaim your time?

3354 Mr. Biggs. I'm reclaiming my time. Thank you, and I
3355 appreciate the comments.

3356 But, actually, this bill does supersede state law with regard

3357 to the underlying purpose of the bill. And that is, in my opinion,
3358 the biggest flaw to the bill, and we need to preserve the states'
3359 rights to -- they govern best. I mean, that is really what
3360 happens. They are closest to the people. They govern it best.

3361 I will yield again to my friend from Texas.

3362 Mr. Roy. And, in truth, I understand why someone would say,
3363 well, then, why are you offering an amendment to tell a state
3364 what to do? I get that. It is to make a point here in this
3365 context.

3366 I think that driver's licenses are important, I agree. I
3367 think driver's licenses are important, also, for voting. I
3368 believe that most states that have adopted voter IDs have done
3369 so in a way that allows the vast majority, if not all, people
3370 to be able to vote, and to give confidence in elections.

3371 And I think that if we are talking about states here, and
3372 who should be deciding, again, as the gentleman said, I think
3373 states ought to be deciding this, including the voter ID laws.

3374 That would be my preference. But, unfortunately -- and one of
3375 my colleagues expounded on the H.R. 1 bill -- the H.R. 1 bill
3376 steps all over the ability of states to manage their own elections.

3377 And so, we are left, you know, we are trying to make the case
3378 in these kind of contexts as to why that is harmful and why we
3379 should, frankly, be deferring to the states, as I think we should
3380 be doing here in broad terms.

3381 With that, I yield back.

3382 Chairman Nadler. The gentleman yields back.

3383 Does anyone else --

3384 Mr. Biggs. Mr. Chairman? Mr. Chairman, I will yield back.

3385 Chairman Nadler. I'm sorry, the gentleman yields back.

3386 Does anyone else seek recognition?

3387 For what purpose does the gentleman from Maryland seek
3388 recognition?

3389 Mr. Raskin. I move to strike the last word, Mr. Chairman.

3390 Chairman Nadler. The gentleman is recognized.

3391 Mr. Raskin. First, I want to speak in favor of Ms. Scanlon's
3392 excellent bill. We are attempting similar in Maryland, which
3393 also decided to stop punishing motorists, people who have a
3394 driver's license, by revoking their driver's license because they
3395 have a separate, unrelated legal matter relating to funds owed.

3396 I would think that that is actually a principle that could
3397 and should unify us across party lines. You know, having a
3398 driver's license is essential for a lot of people's livelihood,
3399 I would daresay a majority of people's livelihood in the country.

3400 You can't get to work, you can't get the kids to school, you
3401 can't navigate a lot of life, depending on where you live -- but
3402 in a lot of parts of the country, especially in rural parts of
3403 the country, if you have a driver's license, and then, if we use
3404 that as leverage over you in terms of other things, it really

3405 can incapacitate and paralyze people.

3406 So, I think this is profoundly decent legislation. And when
3407 I was in Annapolis, it had tremendous support across the aisle
3408 from Democrats, Republicans, and others. Everybody thought that
3409 this should not be, at least in the normal course of things,
3410 leveraged, used against people.

3411 And now, we have an amendment from my friend, Mr. Roy, which,
3412 again, continues the improper use of the driver's license as
3413 coercive leverage against people here in order to keep them from
3414 voting, when, of course, that is a matter of state law and state
3415 decision.

3416 And I know that there is actually nothing too whimsical about
3417 the amendment because we have had other Representatives from the
3418 Republican Party arguing for just this, a nationwide mandate that
3419 there be a photo ID requirement in every state.

3420 This is a profoundly dangerous thing to do. Now it is true
3421 the vast majority of the people will be able to use their voter
3422 ID, their driver's license in this way, but not everybody has
3423 a driver's license. A lot of older people no longer have a
3424 driver's license. A lot of young people have not yet gotten their
3425 driver's license.

3426 I remember in one of the states -- it was in Indiana -- there
3427 was a very Draconian voter ID law, and 10 elderly nuns who did
3428 not have driver's licenses could not vote because they had no

3429 way to prove that they were who they were, despite the fact that
3430 they had been voting for decades and it was perfectly clear who
3431 they were.

3432 So, it is a small part of the population. Maybe it is 1
3433 or 2 percent of the people who would be disenfranchised this way.

3434 That is millions of people. And we are willing, basically, to
3435 say, for political and partisan purposes, we are going to
3436 eliminate millions of people from voting or make it extremely
3437 difficult; essentially, imposing a poll tax by making them go
3438 out and spend their time and get to whatever state office is
3439 issuing some other form of ID which they have got to pay for.

3440 All for what? Well, because they claim that there is voter
3441 fraud. The problem is that there is no evidence of it. It is
3442 absolutely minuscule and infinitesimal.

3443 I just went online and I found a few cases from 2020 and
3444 2016, far less than 1/10,000th of 1 percent. Here is one from
3445 Milwaukee. Ten Republicans accused of voter fraud. There was
3446 one guy who voted for Trump and he did it for himself, and then,
3447 he did it for his mother. So, there is a handful of cases. For
3448 some reason, it looks like it is all Republicans to me. But,
3449 in any event, it is a tiny, tiny, minuscule number of people,
3450 and you are going to disenfranchise tens of thousands, hundreds
3451 of thousands, or millions of people by making this a nationwide
3452 mandate.

3453 So, I don't know whether or not the amendment is meant to
3454 presage an attempt to push this seriously as a nationwide law,
3455 but it would be the wrong thing to do. But Ms. Scanlon's bill
3456 is absolutely the right thing to do because people should not
3457 have their driver's licenses taken away from them for ulterior
3458 motives and extraneous reasons.

3459 And the rest of it, by the way, let me just say about the
3460 Russian conspiracy theory, of course, it is no conspiracy theory
3461 that Vladimir Putin mobilized a serious campaign to interfere
3462 in our election in 2016, to interfere at the DNC, and to interfere
3463 with Hillary Clinton, and to interfere to try to probe state
3464 election computer systems. All of that has been established by
3465 our national security agencies -- the FBI, the CIA, the NSA.
3466 There is nothing conspiracy theory-like about that at all.

3467 And we know there are also more than 100 contacts between
3468 the Trump campaign and Vladimir Putin. And everybody remembers
3469 Donald Trump saying, "Russia, are you listening? Find the rest
3470 of those emails out there." So, there is nothing fantasy-like
3471 about that. It is true that the Mueller report said, given that
3472 Trump wouldn't testify, and lots of people weren't cooperating,
3473 they didn't have enough evidence to prove that there was a
3474 conspiracy.

3475 But my friend from Ohio would like to invite everybody to
3476 believe that all of this is made up. There are books on it.

3477 Mr. Jordan. Would the gentleman yield for a question?

3478 Mr. Raskin. You can go and you can discover, you can go
3479 and discovery exactly what Vladimir Putin --

3480 Chairman Nadler. The gentleman's time --

3481 Mr. Jordan. Would the gentleman yield for a question?

3482 Chairman Nadler. The gentleman can't yield for a question.
3483 The gentleman's time has expired.

3484 Mr. Jordan. Well, he was still talking. That's why I asked
3485 him. Obviously, his time hadn't expired.

3486 Chairman Nadler. The gentleman's time has expired.

3487 Mr. Jordan. Okay.

3488 Chairman Nadler. Does any --

3489 Mr. Raskin. I think I'll give Mr. Jordan the book.
3490 And I yield back. Thank you, Mr. Chairman.

3491 Chairman Nadler. The gentleman yields back.
3492 Does anyone else seek recognition on the amendment?
3493 For what purpose does Mr. Chabot seek recognition?
3494 Mr. Chabot. To strike the last word.

3495 Mr. Jordan. No, just a simple question is --

3496 Chairman Nadler. The gentleman is recognized. Mr. Chabot
3497 is recognized.

3498 Mr. Chabot. I would yield to the gentleman.

3499 Mr. Jordan. I thank the gentleman for yielding.
3500 I was just going to ask him why he objected on January 6th,

3501 2017, then? Why --

3502 Mr. Raskin. I would be delighted to answer. If the
3503 gentleman would yield, I would be delighted to answer that.

3504 Mr. Jordan. I yield to Mr. Chabot if he will yield to you
3505 to answer a question. Then, fine, we can play this game.

3506 Mr. Chabot. I'll yield. I'll yield.

3507 Chairman Nadler. The gentleman yields to Mr. --

3508 Mr. Raskin. Yes. Well, as the gentleman well knows, it
3509 is a firm bipartisan commitment under the atavistic Electoral
3510 College system we have that people will object to technical
3511 violations, as I did with respect to Florida, because there were
3512 dozens of state legislators who were also electors, and you are
3513 not allowed to do that. You can either be an elected official
3514 or an elector, and I objected on those grounds.

3515 But I certainly did not incite a violent insurrection against
3516 the Union and stir up mob violence to try to --

3517 Mr. Chabot. Reclaiming my time, I yield to the gentleman
3518 from Ohio.

3519 Mr. Jordan. So, I just want to be clear for the committee,
3520 the Judiciary Committee to know. So, it is okay for Mr. Raskin
3521 to object on January 6th, 2017 for, quote, "technical reasons,"
3522 whatever those may or may not have been, but it's not okay for
3523 Jim Jordan or Mr. Chabot or Mr. Gohmert or Mr. Biggs, or whoever,
3524 to object for unconstitutional reasons, constitutional-based

3525 reasons, when you have people in respective states or
3526 commonwealths, as Ms. Dean pointed out, go around their state
3527 legislature, go around --

3528 Mr. Raskin. No, we objected to you inciting violent
3529 insurrection against the Union.

3530 Mr. Chabot. Mr. Chairman, it's my time. Mr. Chairman?
3531 Chairman Nadler. The gentleman has the time. The
3532 gentleman from Ohio has the time.

3533 Mr. Jordan. When you have partisan state supreme courts,
3534 partisan secretary of states, in some cases just partisan county
3535 clerks go around the law written by the legislature when they
3536 conduct an election, so somehow we're not allowed to object to
3537 that, but Mr. Raskin is allowed to object for "technical reasons"
3538 --

3539 Mr. Raskin. You did object to it.

3540 Mr. Jordan. -- in 2017?

3541 Mr. Raskin. You did object to it.

3542 Chairman Nadler. The gentleman from Ohio has the time.

3543 Mr. Jordan. I will yield back to the gentleman from Ohio,
3544 Mr. Chabot, and thank you for yielding.

3545 Mr. Chabot. I'll yield back to the chair.

3546 Chairman Nadler. The gentleman has yielded back.

3547 Are there any further speakers?

3548 [No response.]

3549 Chairman Nadler. In that case, the question occurs on the
3550 amendment.

3551 All in favor of the amendment, say aye.

3552 Opposed, no.

3553 The nays have it.

3554 Mr. Roy. I would ask for a recorded vote.

3555 Chairman Nadler. A recorded vote is requested. The clerk
3556 will call the roll.

3557 Mr. Valdez. Mr. Nadler?

3558 Chairman Nadler. No.

3559 Mr. Valdez. Mr. Nadler votes no.

3560 Ms. Lofgren?

3561 Ms. Lofgren. No.

3562 Mr. Valdez. Ms. Lofgren votes no.

3563 Ms. Jackson Lee?

3564 Ms. Jackson Lee. No.

3565 Mr. Valdez. Ms. Jackson Lee votes no.

3566 Mr. Cohen?

3567 [No response.]

3568 Mr. Valdez. Mr. Johnson of Georgia?

3569 [No response.]

3570 Mr. Valdez. Mr. Deutch?

3571 [No response.]

3572 Mr. Valdez. Ms. Bass?

3573 [No response.]

3574 Chairman Nadler. Someone's microphone is on when it should

3575 be off.

3576 Mr. Valdez. Mr. Jeffries?

3577 Mr. Jeffries. No.

3578 Mr. Valdez. Mr. Jeffries votes no.

3579 Mr. Cicilline?

3580 Mr. Cicilline. No.

3581 Mr. Valdez. Mr. Cicilline votes no.

3582 Mr. Swalwell?

3583 Mr. Swalwell. No.

3584 Mr. Valdez. Mr. Swalwell votes no.

3585 Mr. Lieu?

3586 [No response.]

3587 Mr. Valdez. Mr. Raskin?

3588 Mr. Raskin. No.

3589 Mr. Valdez. Mr. Raskin votes no.

3590 Ms. Jayapal?

3591 Ms. Jayapal. No.

3592 Mr. Valdez. Ms. Jayapal votes no.

3593 Ms. Demings?

3594 Mrs. Demings. No

3595 Mr. Valdez. Ms. Demings votes no.

3596 Mr. Correa?

3597 Mr. Correa. No. No.

3598 Mr. Valdez. Mr. Correa votes no.

3599 Ms. Scanlon?

3600 Ms. Scanlon. No.

3601 Mr. Valdez. Ms. Scanlon votes no.

3602 Ms. Garcia?

3603 Ms. Garcia. No.

3604 Mr. Valdez. Ms. Garcia votes no.

3605 Mr. Neguse?

3606 Mr. Neguse. Neguse votes no.

3607 Mr. Valdez. Mr. Neguse votes no.

3608 Ms. McBath?

3609 Mrs. McBath. McBath votes no.

3610 Mr. Valdez. Ms. McBath votes no.

3611 Mr. Stanton?

3612 Mr. Stanton. Stanton votes no.

3613 Mr. Valdez. Mr. Stanton votes no.

3614 Ms. Dean?

3615 Ms. Dean. No.

3616 Mr. Valdez. Ms. Dean votes no.

3617 Ms. Escobar?

3618 [No response.]

3619 Mr. Valdez. Mr. Jones?

3620 [No response.]

3621 Mr. Valdez. Ms. Ross?

3622 Ms. Ross. Ross votes no.

3623 Mr. Valdez. Ms. Ross votes no.

3624 Ms. Bush?

3625 Ms. Bush. Bush votes no.

3626 Mr. Valdez. Ms. Bush votes no.

3627 Mr. Jordan?

3628 Mr. Jordan. Yes.

3629 Mr. Valdez. Mr. Jordan votes yes.

3630 Mr. Chabot?

3631 Mr. Chabot. Aye.

3632 Mr. Valdez. Mr. Chabot votes aye.

3633 Mr. Gohmert?

3634 Mr. Gohmert. Aye.

3635 Mr. Valdez. Mr. Gohmert votes aye.

3636 Mr. Issa?

3637 Mr. Issa. Aye.

3638 Mr. Valdez. Mr. Issa votes aye.

3639 Mr. Buck?

3640 [No response.]

3641 Mr. Valdez. Mr. Gaetz?

3642 Mr. Gaetz. Aye.

3643 Mr. Valdez. Mr. Gaetz votes aye.

3644 Mr. Johnson of Louisiana?

3645 Mr. Johnson of Louisiana. Aye.

3646 Mr. Valdez. Mr. Johnson of Louisiana votes aye.

3647 Mr. Biggs?

3648 Mr. Biggs. Aye.

3649 Mr. Valdez. Mr. Biggs votes aye.

3650 Mr. McClintock?

3651 Mr. McClintock. Aye.

3652 Mr. Valdez. Mr. McClintock votes aye.

3653 Mr. Steube?

3654 Mr. Steube. Yes.

3655 Mr. Valdez. Mr. Steube votes yes.

3656 Mr. Tiffany?

3657 Mr. Tiffany. Aye.

3658 Mr. Valdez. Mr. Tiffany votes aye.

3659 Mr. Massie?

3660 Mr. Massie. Yes.

3661 Mr. Valdez. Mr. Massie votes yes.

3662 Mr. Roy?

3663 Mr. Roy. Aye.

3664 Mr. Valdez. Mr. Roy votes aye.

3665 Mr. Bishop?

3666 Mr. Bishop. Aye.

3667 Mr. Valdez. Mr. Bishop votes aye.

3668 Ms. Fischbach?

3669 Mrs. Fischbach. Aye.

3670 Mr. Valdez. Ms. Fischbach votes aye.

3671 Ms. Spartz?

3672 Mrs. Spartz. Yes.

3673 Mr. Valdez. Ms. Spartz votes yes.

3674 Mr. Fitzgerald?

3675 [No response.]

3676 Mr. Valdez. Mr. Bentz?

3677 Mr. Bentz. Yes.

3678 Mr. Valdez. Mr. Bentz votes yes.

3679 Mr. Owens?

3680 Mr. Owens. Owens yes.

3681 Mr. Valdez. Mr. Owens votes yes.

3682 Chairman Nadler. Mr. Cohen?

3683 Mr. Cohen. This is Congressman Cohen. Am I recorded?

3684 Mr. Valdez. Mr. Cohen, you are not recorded.

3685 Mr. Cohen. Then I want to vote no.

3686 Mr. Valdez. Mr. Cohen votes no.

3687 Chairman Nadler. Mr. Johnson of Georgia?

3688 Mr. Johnson of Georgia. Johnson of Georgia votes no.

3689 Mr. Valdez. Mr. Johnson of Georgia votes no.

3690 Ms. Bass. Mr. Chairman, how am I recorded?

3691 Mr. Valdez. Ms. Bass, you are not recorded.

3692 Ms. Bass. Bass votes no.

3693 Mr. Valdez. Ms. Bass votes no.

3694 Chairman Nadler. Mr. Lieu?

3695 Mr. Lieu. Mr. Chairman, how am I recorded?

3696 Mr. Valdez. Mr. Lieu, you are not recorded.

3697 Mr. Lieu. Lieu votes no.

3698 Mr. Valdez. Mr. Lieu votes no.

3699 Ms. Escobar. Mr. Chairman, how am I recorded?

3700 Mr. Valdez. Ms. Escobar, you are not recorded.

3701 Ms. Escobar. I vote no.

3702 Mr. Valdez. Ms. Escobar votes no.

3703 Chairman Nadler. Are there any members who wish to vote

3704 who haven't been recorded?

3705 [No response.]

3706 Chairman Nadler. The clerk will report.

3707 Mr. Valdez. Mr. Chairman, there are 17 ayes and 23 noes.

3708 Chairman Nadler. The amendment is not agreed to.

3709 Are there any other amendments to H.R. 2453?

3710 Mr. Biggs. Mr. Chairman, I have an -- Mr. Chairman?

3711 Chairman Nadler. For what purpose does Mr. Biggs seek

3712 recognition?

3713 Mr. Biggs. Mr. Chairman, I have an amendment at the desk.

3714 Chairman Nadler. The gentleman has an amendment at the

3715 desk. The clerk will report.

3716 Mr. Valdez. "Amendment to H.R. 2453" --

3717 Mr. Cicilline. Mr. Chairman, I reserve a point of order.

3718 Mr. Valdez. -- "offered by Mr. Biggs of Arizona."

3719 Chairman Nadler. A point of order.

3720 Mr. Valdez. "Page 10, insert after line 2 the following

3721 and" --

3722 Chairman Nadler. Without objection, the amendment is

3723 considered as read.

3724 [The amendment of Mr. Biggs follows:]

3725

3726 ***** COMMITTEE INSERT *****

3727 Chairman Nadler. The gentleman has 5 minutes to explain
3728 his vote -- his amendment.

3729 Mr. Biggs. Thank you, Mr. Chairman.

3730 This has been an interesting debate that we have had today.

3731 The gentleman from Maryland said, quote, "We had something in
3732 Maryland," quote, and then, he said, "When I was in Annapolis,"
3733 close quote, and he said, I thought this would be, and I will
3734 quote here, "something around which we could," quote, "would,
3735 could, and unify." Close quote.

3736 And he's right. I mean, this is something around which state
3737 legislatures can and should unify on their approach to this very
3738 important question. The fact that you were able to do it in
3739 Maryland is because that was the proper venue. It was the proper
3740 level of government dealing with an issue for that State.

3741 This is, instead, an imposition across all states of
3742 congressional will, and that happens. It happens often, but it
3743 doesn't mean it's right just because it happens often. This is
3744 a state-based decision and this is a state-based problem, and
3745 that's where it should best be resolved.

3746 And that leads me to my amendment that I'm offering now.

3747 And so, this amendment is to prohibit grant funding from going
3748 to jurisdictions that limit information-sharing with federal law
3749 enforcement or hinder federal law enforcement from enforcing our
3750 immigration laws.

3751 Federal funding should not be going to states that make it
3752 harder for federal law enforcement agents to enforce federal law.

3753 And until the current Administration reverses courses and starts
3754 securing the border and enforcing our immigration laws, federal
3755 law enforcement agents will remain busy apprehending illegal
3756 border crossers in the interior of the United States.

3757 Policies that limit information-sharing, which is what will
3758 happen with this bill, prohibit cooperation, or hinder the
3759 enforcement of immigration laws will increase the risk to law
3760 enforcement and to our communities. There is no question that
3761 the policies contained in the underlying bill make it more
3762 difficult for federal law enforcement to enforce the law. We
3763 should not be incentivizing those jurisdictions with additional
3764 federal funding.

3765 I urge my colleagues to adopt this amendment. And with that,
3766 Mr. Chairman, I --

3767 Mr. Cicilline. Would the gentleman yield for a question
3768 on the amendment?

3769 Mr. Biggs. Surely.

3770 Mr. Cicilline. So, I guess my first question is, your
3771 amendment says that this grant approval will not be available
3772 to a jurisdictional which substantially limits compliance with
3773 -- and then, you cite provisions of the federal law. So, a
3774 jurisdiction, obviously, doesn't have the ability to limit

3775 compliance. That federal law applies throughout the United
3776 States. So, do you mean by that -- I guess I don't know what
3777 you mean. Like that law exists in the United States of America.
3778 No municipality or jurisdiction has the right in any way to limit
3779 compliance with it. It's the law. So, how could they limit
3780 compliance with a federal law?

3781 Mr. Biggs. Well, they do it, in response to that question,
3782 they do it all the time. We have had cities in Arizona that have
3783 specifically limited participation. So, for instance, they have
3784 refused to grant information with the federal officials, federal
3785 law --

3786 Mr. Cicilline. But that doesn't obviate, limit compliance
3787 with a federal --

3788 Mr. Biggs. Mr. Cicilline, I reclaim my time.

3789 Mr. Cicilline. Okay.

3790 Mr. Biggs. That does obviate their ability to enforce
3791 federal law when you don't share information. Or how about this
3792 one? If you don't hold people where there is a federal warrant
3793 that the feds have given notification to the city or the county
3794 or the state officials that we want that individual; we want to
3795 pick them up. And they, instead, have let them loose or turned
3796 them loose or refused to transfer them to the feds. Yes, indeed,
3797 that has an effect on the federal law enforcement officer's
3798 ability to enforce the law.

3799 I'll yield back to the chairman.

3800 Mr. Cicilline. Mr. Chairman, I seek recognition.

3801 Chairman Nadler. The gentleman has yielded back.

3802 I recognize myself in opposition to the amendment.

3803 Once again, the amendment has nothing to do with the bill.

3804 The bill incentivizes states to not withhold driver's licenses
3805 under certain circumstances. The amendment has to do with

3806 federal immigration law. The bill has nothing to do with federal

3807 immigration law, and the amendment has nothing to do with the

3808 bill. The amendment is irrelevant to the bill, again, as the

3809 previous amendment was, in this case because it's an immigration

3810 law. The bill does not deal with immigration law in any way.

3811 It deals with driver's licenses. Therefore, I must oppose the
3812 amendment.

3813 And I'll yield to the gentleman from Rhode Island.

3814 Mr. Cicilline. Thank you, Mr. Chairman. I thank you for
3815 yielding.

3816 I, again, think you are exactly right. This has nothing
3817 to do with the underlying bill. It's sort of an ongoing parade

3818 of unrelated issues that our friends on the other side of the

3819 aisle want to debate, which is interesting, but not particularly

3820 useful in terms of the work of this committee. But I think, in

3821 particular, this one is drafted in a way that suggests some

3822 municipalities have the ability to limit compliance with

3823 underlying federal law. That's just not the case.

3824 Now if the sponsor of the amendment means that there are
3825 jurisdictions which refuse to undertake the duties of the federal
3826 immigration agencies, I will grant him that. There are a number
3827 of jurisdictions that have said, "We're not going to do the work
3828 of federal immigration authorities." But they are still bound
3829 to comply with federal law. Every single jurisdiction in America
3830 is bound to follow federal law.

3831 So, the kind of underlying notion in this amendment is just
3832 a legal and factual predicate which doesn't exist. Compliance
3833 with federal law is required. There is a debate -- I was a mayor
3834 of a city, and, in fact, did not think that local police officers
3835 should be undertaking the work of federal immigration officials
3836 because they didn't have the training, they didn't have the
3837 expertise. And frankly, that's why people pay taxes to the
3838 Federal Government. So there may be, in fact, jurisdictions that
3839 refuse to undertake the work of federal immigration officials.

3840

3841 But, again, this is irrelevant. It is unrelated to the
3842 underlying bill. It is raising another issue, and I think again
3843 creating the impression that somehow municipalities or state
3844 governments have the right to defy federal law. That is just
3845 not the case.

3846 I urge my colleagues to vote against the amendment.

3847 I yield back to the chairman, and thank him for the courtesy.

3848 Chairman Nadler. And I will yield back.

3849 Does anyone else seek recognition on the amendment.

3850 Mr. Bishop. Mr. Chairman.

3851 Chairman Nadler. Who seeks recognition?

3852 Mr. Bishop. Me. Don Bishop.

3853 Chairman Nadler. The gentleman is recognized.

3854 Mr. Bishop. Move to strike the last word.

3855 Chairman Nadler. The gentleman is recognized.

3856 Mr. Bishop. I think what is mixed together in a number of
3857 the amendments is that there is some series of simple reservations
3858 from this new federal grant program, all of which are consistent
3859 with the professed purpose of the bill, and all which ought to
3860 be easy to agree on.

3861 I beg to differ with my colleague on the other side of the
3862 aisle. I come from Mecklenburg County, North Carolina, where
3863 a sanctuary sheriff made a policy, for the sake of expressing
3864 his view of federal immigration law, undertook a policy to refuse
3865 to cooperate with Immigration and Customs Enforcement and
3866 detainer requests.

3867 Now, in the last several months perhaps that has been
3868 eclipsed by the fact that the White House has undertaken to
3869 sabotage the enforcement of immigration law, with a predictable
3870 result. But whether it is the White House that undertakes,

3871 against the advice of the Customs and Border Patrol, undertakes
3872 the reversal of policies that had been successful in securing
3873 the border, or it is a locality that uses its resources in a way
3874 that is designed and intended to undermine the enforcement of
3875 federal immigration law. It is not a policy that we should
3876 reward.

3877 Hence, the reasonable reservation the gentleman from Arizona
3878 has suggested seems very simple to me.

3879 And I yield to the gentleman from Arizona.

3880 Mr. Biggs. I thank the gentleman for yielding.

3881 So, when I look at this and I hear the argument that, well,
3882 in my city we didn't think that we had officers that were trained
3883 to replace federal immigrations officers, I understand that.
3884 I understand that. There are provisions that allow for training
3885 for local law enforcement to become certified to enforce certain
3886 aspects of immigration law.

3887 But that is not what we are talking about here. We are
3888 talking about here when the local jurisdiction take actions
3889 specifically in contravention of federal law. And I am so glad
3890 to hear my colleague across the aisle say that you can't, you
3891 simply cannot disobey federal law.

3892 Well, we see it all the time. There are a hundred-some-odd
3893 sanctuary cities in this country. And what they do is they do
3894 not communicate with the federal agencies, as they are required

3895 to. They do not follow the holds that they are required to.

3896 Now, those types of things actually get in the way of the
3897 enforcement of federal law. And it is that simple, and that is
3898 what this, they shouldn't be incentivized to do so. And I think
3899 that this all relates to it, just as the gentleman from North
3900 Carolina said.

3901 And I will yield back to the gentleman from North Carolina.

3902 Mr. Bishop. And with that, I yield to the ranking member.

3903 Mr. Jordan. I thank the gentleman for yielding.

3904 So, if you take away the driver's license of -- if you change
3905 the policy and it takes away the driver's license of people who
3906 won't pay their bills, won't pay their fines, the Federal
3907 Government will give your kids American tax dollars.

3908 But if you defund the police, if you don't follow federal
3909 law when it comes to sanctuary cities, sanctuary states, if you
3910 don't -- if you have no photo I.D., no problem there. We are
3911 going to pay states to make sure that people who didn't pay their
3912 bills get to keep their driver's license, but we are not going
3913 to have any action for states that actually defund the police,
3914 have sanctuary cities, and require -- don't require a photo I.D.

3915 That is what we have been debating here the last, I don't
3916 know, hour-and-a-half, two hours, and it seems like maybe we have
3917 it a little backwards. I bet there are lots of Americans who
3918 think we got it backwards and maybe don't particularly like their

3919 tax dollars being used to say, oh, so you're taking my tax dollars,
3920 giving it to states, to people who didn't pay their fines, didn't
3921 pay their bills, didn't pay their fees they get that, they get
3922 to keep their driver's license because they wouldn't.

3923 I have to pay mine. And, oh, by the way, that may be a state
3924 that has a sanctuary city. That may be a state that has already
3925 defunded their police. And that is a state that doesn't require
3926 photo I.D. when they go to vote so they can keep voting in people
3927 who pass these kind of laws. I think there are a lot of Americans
3928 think, wow, that, that seems a little backwards to me.

3929 That is all we are pointing out. You can all it irrelevant.
3930 You can all it no appropriate, whatever you want to call it.
3931 I actually call it common sense. And I guess, my guess is there
3932 are lots of Americans who would agree with it.

3933 I appreciate the gentleman yielding.

3934 Mr. Bishop. With that, I yield back to the chairman.

3935 Chairman Nadler. The gentleman yields back.

3936 Does anyone else seek recognition?

3937 For what purpose does the gentlelady from Florida seek --
3938 from Texas seek recognition?

3939 Ms. Jackson Lee. To strike the last word.

3940 Chairman Nadler. The gentlelady is recognized.

3941 Ms. Jackson Lee. I had the luxury of stepping away but able
3942 to be on virtually. So, thank you, Mr. Chairman, for the way

3943 you guided this debate on a very important initiative.

3944 Again I refresh the memories of my colleagues on the other
3945 side of the aisle that the Scanlon bill, Congressman Scanlon's
3946 bill can be documented across America for the scourge that occurs
3947 when mostly young people, and mostly young people of color, or
3948 mostly low income people get overwhelmed. We know that our young
3949 people in college are overwhelmed with student debt. These
3950 individuals get overwhelmed with small infractions. It is not
3951 because they don't want to pay, it is because they don't have
3952 the money to pay.

3953 And, as evidenced, all the facts are not borne in the Daunte
3954 Wright case, but besides some dangling air fresheners which,
3955 obviously, should have warranted a pat on the hand a ticket, there
3956 may have been something with an expired tag. Well, maybe I should
3957 announce breaking news: we have been in COVID-19 lockdown for
3958 almost two years -- rightly so. That means that agencies who
3959 deal with a variety of administrative issues, licenses and
3960 otherwise, were not even open. Some of the courts were not even
3961 open.

3962 So, here we are with a young man who has lost his life.

3963 But, the point that I wanted to make is besides defunding
3964 the police amendment distraction -- although someone has every
3965 right to do so, and I respect them for that. I wanted to qualify
3966 that. And then, again, here we are with immigration, sanctuary

3967 city amendments again, that are germane because the way the bill
3968 is written there is a condition. But the idea is that again we
3969 suggest that sanctuary cities are a main, conspicuous and
3970 prevalent situation, if you are determined to use that definition.

3971 I don't think any city is providing themselves as a sanctuary.
3972 Under states' rights, and that particular state that the city
3973 is in, it may be that they have a different policy as it relates
3974 to non-status individuals.

3975 That is far different from calling something a sanctuary
3976 city. I think at one point someone was trying to call Houston,
3977 Texas, a sanctuary city. I live in Houston. And I know for sure
3978 we don't have that terminology, but we are an open and welcoming
3979 city to human beings who happen to be there with their family
3980 and their children. And I am very grateful for that.

3981 So, I think we need to accept this legislation for what it
3982 is. It is not appropriately responding to any crisis. It is
3983 not uplifting to anyone. And it is not the intent of the
3984 legislation to be able to cure the infraction overload that our
3985 cities seem to be engaged in to raise money, and then the complete
3986 detour that some people then have to take because they are
3987 arrested, they are in jail, they don't have the money to pay,
3988 and it is a cycle again.

3989 And if I wanted to go on, I would say to you there are families
3990 that lose the breadwinner. There are families that then have

3991 someone in jail that is compounded by the fact that they were
3992 not able to pay, and so it is mounting fees and their jail time
3993 is extended. And you break the family cycle.

3994 So, I would simply ask my colleagues to pass, vote for H.R.
3995 2453. That is going to be a problem solver. That is going to
3996 get at a problem. That is going to unify families. That is going
3997 to help young people stay in college or high school versus in
3998 jail because by the very nature of their condition they don't
3999 have the money.

4000 So, thank you, Mr. Chairman. I hope that we can vote on
4001 this very thoughtful and important legislation.

4002 I yield back.

4003 Chairman Nadler. The gentlelady yields back.

4004 Does anyone else seek recognition?

4005 For what purpose does Mr. Roy seek recognition?

4006 Mr. Roy. Move to strike the last word.

4007 Chairman Nadler. The gentleman is recognized.

4008 Mr. Roy. I would say about my friend from Arizona's
4009 amendment that, you know, we have had a number of conversations
4010 here today about voter identification, for example. Obviously,
4011 the underlying purpose of driver's licenses is for driving.

4012 And all of this ties back to the question of underlying all
4013 this is the use of federal dollars which, again, I will reiterate
4014 just because we never get it through our thick skulls in

4015 Washington, it is money we don't have. We just keep spending
4016 money and then tying strings attached to it when we don't have
4017 it, \$30 trillion in debt later. But, so, so here we are arguing
4018 about how to spend money we don't have, putting a hook on it for
4019 a purpose, a purpose which may have some meaningful impact at
4020 the state and local level, but which -- God bless you -- but which
4021 the Federal Government should not be, in my opinion, directing
4022 to the state and local government.

4023 I might agree that we shouldn't hook the voter I.D.
4024 amendment, which I added, in that same vein if we were to sort
4025 of back away from this whole endeavor. And maybe, I won't speak
4026 for the gentleman, maybe he would agree with respect to the
4027 sanctuary issue. But, you know, I think there is this sort of
4028 dismissal that this is all unrelated. But all of this gets to
4029 the core of thinking about identification.

4030 We are all agreeing that driver's licenses are important.
4031 They are important for driving, goes without saying. They are
4032 important for flying. They are important for use. We use
4033 driver's licenses as our primary form of identification
4034 everywhere we go; again, major league baseball, airlines,
4035 wherever it might be.

4036 And how often are drivers licenses in the United States
4037 obtained illegally or through false documentation? How many
4038 identities are stolen in this country. They are stolen

4039 frequently.

4040 In fact, I was talking to a businessman in Austin, Texas
4041 the other day, and he was talking about how he had, you know,
4042 had a voluntary audit to deal with their hiring practices. And
4043 somebody had reviewed their business, and of 1,200 employees over
4044 a number of years 400 had been determined through the various
4045 mechanisms to have violated, you know, that they didn't have
4046 status in this country. Which this is not unusual in Texas,
4047 right, as my fellow Texans will know. It is one of the issues
4048 we have with our broken immigration system.

4049 And but in that case this business they had been using I-9,
4050 and in another case, another instance, e-Verify. And these
4051 documents had been presented with the full faith and belief that
4052 they were legitimate and real. And they had an audit, and they
4053 believed that they had done everything in good faith, but a lot
4054 of these identifications were flat out stolen.

4055 And so this is a, you know, systemic problem we have with
4056 respect to our ability to trust this stuff. So, now you go to
4057 sanctuary cities. Well, we have this big, convoluted mess where
4058 we are having cities in this country who are specifically trying
4059 to resist working with federal law enforcement entities. Many
4060 of my colleagues on the other side have even suggested abolishing
4061 ICE. The Vice President has compared ICE to the KKK. They said
4062 we should abolish Ice and get rid of it, get rid of the Border

4063 Patrol, all of these things.

4064 And then you have sanctuary city jurisdictions that won't
4065 enforce the law or work with federal authorities to enforce the
4066 law. Then you have people using and stealing I.D.s, the very
4067 I.D.s we are talking about that are critically important for
4068 people to drive, which my colleagues on the other side of the
4069 aisle would say it is perfectly fine for us to say we need to
4070 let them continue to use driver's licenses unlawfully, that are
4071 unlawfully gotten, but to drive because they need to get a job.

4072 But we don't want to work with law enforcement to try to figure
4073 that out.

4074 You see why the American people are frustrated. You know,
4075 why don't we just come up with a system where the rule of law
4076 governs, or figure it out; local law enforcement work with federal
4077 authorities; that we do our job to ensure that people who are
4078 here are abiding by the law; figure out how many people agree
4079 or disagree, we can vote and debate; one million, two million,
4080 five million, how many people should come in lawfully. And let's
4081 just do our jobs, secure our border, instead of doing what we
4082 are doing now.

4083 I believe all of this is tied together. And I believe this
4084 is right. And I appreciate the gentleman's amendment. And if
4085 he needs any more time I am happy to yield to him. But, no, I
4086 will yield to the chairman.

4087 Chairman Nadler. The gentleman has yielded back.
4088 Are there any further speakers on this amendment?
4089 If not, the question occurs on the amendment.
4090 All those in favor, say aye.
4091 Opposed, no.
4092 The noes have it. The noes have it.
4093 Mr. Jordan. Request a roll call.
4094 Chairman Nadler. A roll call is requested.
4095 The clerk will call the roll.
4096 Mr. Valdez. Mr. Nadler.
4097 Chairman Nadler. No.
4098 Mr. Valdez. Mr. Nadler votes no.
4099 Ms. Lofgren.
4100 Ms. Lofgren. No.
4101 Mr. Valdez. Ms. Lofgren votes no.
4102 Ms. Jackson Lee.
4103 Ms. Jackson Lee. No.
4104 Mr. Valdez. Ms. Jackson Lee votes no.
4105 Mr. Cohen.
4106 [No response.]
4107 Mr. Valdez. Mr. Johnson of Georgia.
4108 Mr. Johnson of Georgia. No.
4109 Mr. Valdez. Mr. Johnson of Georgia votes no.
4110 Mr. Deutch.

4111 [No response.]

4112 Mr. Valdez. Ms. Bass.

4113 Ms. Bass. No.

4114 Mr. Valdez. Ms. Bass votes no.

4115 Mr. Jeffries.

4116 Mr. Jeffries. No.

4117 Mr. Valdez. Mr. Jeffries votes no.

4118 Mr. Cicilline.

4119 Mr. Cicilline. No.

4120 Mr. Valdez. Mr. Cicilline votes no.

4121 Mr. Swalwell.

4122 [No response.]

4123 Mr. Valdez. Mr. Lieu.

4124 [No response.]

4125 Mr. Valdez. Mr. Raskin.

4126 Mr. Raskin. No.

4127 Mr. Valdez. Mr. Raskin votes no.

4128 Ms. Jayapal.

4129 [No response.]

4130 Mr. Valdez. Mrs. Demings.

4131 [No response.]

4132 Mr. Valdez. Mr. Correa.

4133 Mr. Correa. No.

4134 Mr. Valdez. Mr. Correa votes no.

4135 Ms. Scanlon.

4136 Ms. Scanlon. No.

4137 Mr. Valdez. Ms. Scanlon votes no.

4138 Ms. Garcia.

4139 Ms. Garcia. No.

4140 Mr. Valdez. Ms. Garcia votes no.

4141 Mr. Neguse.

4142 Mr. Neguse. Neguse votes no.

4143 Mr. Valdez. Mr. Neguse votes no.

4144 Mrs. McBath.

4145 [No response.]

4146 Mr. Valdez. Mr. Stanton.

4147 Mr. Stanton. Stanton votes no.

4148 Mr. Valdez. Mr. Stanton votes no.

4149 Ms. Dean.

4150 Ms. Dean. Dean votes no.

4151 Mr. Valdez. Ms. Dean votes no.

4152 Ms. Escobar.

4153 Ms. Escobar. No.

4154 Mr. Valdez. Ms. Escobar votes no.

4155 Mr. Jones.

4156 [No response.]

4157 Mr. Valdez. Ms. Ross.

4158 Ms. Ross. Ross votes no.

4159 Mr. Valdez. Ms. Ross votes no.
4160 Ms. Bush.
4161 Ms. Bush. Ms. Bush votes no.
4162 Mr. Valdez. Ms. Bush votes no.
4163 Mr. Jordan.
4164 Mr. Jordan. Yes.
4165 Mr. Valdez. Mr. Jordan votes yes.
4166 Mr. Chabot.
4167 Mr. Chabot. Aye.
4168 Mr. Valdez. Mr. Chabot votes aye.
4169 Mr. Gohmert.
4170 Mr. Gohmert. Aye.
4171 Mr. Valdez. Mr. Gohmert votes aye.
4172 Mr. Issa.
4173 Mr. Issa. Aye.
4174 Mr. Valdez. Mr. Issa votes aye.
4175 Mr. Buck.
4176 [No response.]
4177 Mr. Valdez. Mr. Gaetz.
4178 Mr. Gaetz. Aye.
4179 Mr. Valdez. Mr. Gaetz votes aye.
4180 Mr. Johnson of Louisiana.
4181 [No response.]
4182 Mr. Valdez. Mr. Biggs.

4183 Mr. Biggs. Aye.

4184 Mr. Valdez. Mr. Biggs votes aye.

4185 Mr. McClintock.

4186 Mr. McClintock. Aye.

4187 Mr. Valdez. Mr. McClintock votes aye.

4188 Mr. Steube.

4189 Mr. Steube. Yes.

4190 Mr. Valdez. Mr. Steube votes yes.

4191 Mr. Tiffany.

4192 Mr. Tiffany. Aye.

4193 Mr. Valdez. Mr. Tiffany votes aye.

4194 Mr. Massie.

4195 [No response.]

4196 Mr. Valdez. Mr. Roy.

4197 Mr. Roy. Aye.

4198 Mr. Valdez. Mr. Roy votes aye.

4199 Mr. Bishop.

4200 Mr. Bishop. Aye.

4201 Mr. Valdez. Mr. Bishop votes aye.

4202 Ms. Fischbach.

4203 Ms. Fischbach. Aye.

4204 Mr. Valdez. Ms. Fischbach votes aye.

4205 Mrs. Spartz.

4206 Mrs. Spartz. Yes.

4207 Mr. Valdez. Mrs. Spartz votes yes.

4208 Mr. Fitzgerald.

4209 [No response.]

4210 Mr. Valdez. Mr. Bentz.

4211 Mr. Bentz. Yes.

4212 Mr. Valdez. Mr. Bentz votes yes.

4213 Mr. Owens.

4214 Mr. Owens. Owens yes.

4215 Mr. Valdez. Mr. Owens votes yes.

4216 Mr. Swalwell. Mr. Chairman, how is Swalwell recorded.

4217 Mr. Valdez. Mr. Swalwell, you are not recorded.

4218 Mr. Swalwell. No.

4219 Mr. Valdez. Mr. Swalwell votes no.

4220 Chairman Nadler. Mr. Lieu?

4221 Mr. Lieu. Mr. Chair, how am I recorded?

4222 Mr. Valdez. Mr. Lieu, you are not recorded.

4223 Mr. Lieu. Lieu votes no.

4224 Mr. Valdez. Mr. Lieu votes no.

4225 Chairman Nadler. Mr. Massie?

4226 Mr. Massie. Massie votes yes.

4227 Mr. Valdez. Mr. Massie votes yes.

4228 Mr. Cohen. Is Mr. Cohen recorded?

4229 Chairman Nadler. Mr. Johnson of Louisiana?

4230 Mr. Johnson of Louisiana. Yes.

4231 Mr. Valdez. Mr. Johnson of Louisiana votes yes.

4232 Chairman Nadler. Mr. Cohen?

4233 Mr. Cohen. Mr. Cohen votes no.

4234 Mr. Valdez. Mr. Cohen votes no.

4235 Chairman Nadler. Mr. Jones?

4236 Mr. Jones. Mr. Chair, how is Jones recorded?

4237 Mr. Valdez. Mr. Jones, you are not recorded.

4238 Mr. Jones. Mr. Jones votes no.

4239 Mr. Valdez. Mr. Jones votes no.

4240 Chairman Nadler. Has anyone not been recorded who wishes

4241 to be recorded?

4242 [No response.]

4243 Chairman Nadler. In that case, the clerk will report.

4244 Mr. Valdez. Mr. Chairman, there are 17 ayes and 21 noes.

4245 Chairman Nadler. The amendment is not agreed to.

4246 Are there any other amendments to H.R. 2453?

4247 [No response.]

4248 Chairman Nadler. The reporting quorum being present, the

4249 question is on the motion to report the bill H.R. 2453, as amended,

4250 favorably to the House.

4251 Those in favor, say aye.

4252 Opposed, no.

4253 The ayes have it. The bill is ordered reported favorably

4254 to the House.

4255 A recorded vote is requested.

4256 The clerk will call the roll.

4257 Mr. Valdez. Mr. Nadler.

4258 Chairman Nadler. Aye.

4259 Mr. Valdez. Mr. Nadler votes aye.

4260 Ms. Lofgren.

4261 Ms. Lofgren. Aye.

4262 Mr. Valdez. Ms. Lofgren votes aye.

4263 Ms. Jackson Lee.

4264 Ms. Jackson Lee. Aye.

4265 Mr. Valdez. Ms. Jackson Lee votes aye.

4266 Mr. Cohen.

4267 Mr. Cohen. Aye.

4268 Mr. Valdez. Mr. Cohen votes aye.

4269 Mr. Johnson of Georgia. Mr. Johnson of Georgia, I believe

4270 you are muted.

4271 Mr. Johnson of Georgia. Johnson votes aye.

4272 Mr. Valdez. Mr. Johnson votes aye.

4273 Mr. Deutch.

4274 [No response.]

4275 Mr. Valdez. Ms. Bass.

4276 [No response.]

4277 Mr. Valdez. Mr. Jeffries.

4278 Mr. Jeffries. Aye.

4279 Mr. Valdez. Mr. Jeffries votes aye.

4280 Mr. Cicilline.

4281 Mr. Cicilline. Aye.

4282 Mr. Valdez. Mr. Cicilline votes aye.

4283 Mr. Swalwell.

4284 Mr. Swalwell. Aye.

4285 Mr. Valdez. Mr. Swalwell votes aye.

4286 Mr. Lieu.

4287 Mr. Lieu. Aye.

4288 Mr. Valdez. Mr. Lieu votes aye.

4289 Mr. Raskin.

4290 Mr. Raskin. Aye.

4291 Mr. Valdez. Mr. Raskin votes aye.

4292 Ms. Jayapal.

4293 [No response.]

4294 Mr. Valdez. Mrs. Demings.

4295 [No response.]

4296 Mr. Valdez. Mr. Correa.

4297 Mr. Correa. Aye.

4298 Mr. Valdez. Mr. Correa votes aye.

4299 Ms. Scanlon.

4300 Ms. Scanlon. Aye.

4301 Mr. Valdez. Ms. Scanlon votes aye.

4302 Ms. Garcia.

4303 Ms. Garcia. Aye.

4304 Mr. Valdez. Ms. Garcia votes aye.

4305 Mr. Neguse.

4306 Mr. Neguse. Neguse votes aye.

4307 Mr. Valdez. Mr. Neguse votes aye.

4308 Mrs. McBath.

4309 Mrs. McBath. McBath votes aye.

4310 Mr. Valdez. Mrs. McBath votes aye.

4311 Mr. Stanton.

4312 Mr. Stanton. Stanton votes aye.

4313 Mr. Valdez. Mr. Stanton, could you turn on your camera.

4314 Ms. Dean.

4315 Ms. Dean. Dean votes aye.

4316 Mr. Valdez. Ms. Dean votes aye.

4317 Mr. Stanton.

4318 Mr. Stanton. Stanton votes aye.

4319 Mr. Valdez. Mr. Stanton votes aye.

4320 Ms. Escobar.

4321 Ms. Escobar. Aye.

4322 Mr. Valdez. Ms. Escobar votes aye.

4323 Mr. Jones.

4324 Mr. Jones. Aye.

4325 Mr. Valdez. Mr. Jones votes aye.

4326 Ms. Ross.

4327 Ms. Ross. Ross votes aye.

4328 Mr. Valdez. Ms. Ross votes aye.

4329 Ms. Bush.

4330 Ms. Bush. Bush votes aye.

4331 Mr. Valdez. Ms. Bush votes aye.

4332 Mr. Jordan.

4333 Mr. Jordan. No.

4334 Mr. Valdez. Mr. Jordan votes no.

4335 Mr. Chabot.

4336 Mr. Chabot. No.

4337 Mr. Valdez. Mr. Chabot votes no.

4338 Mr. Gohmert.

4339 Mr. Gohmert. No.

4340 Mr. Valdez. Mr. Gohmert votes no.

4341 Mr. Issa.

4342 Mr. Issa. No.

4343 Mr. Valdez. Mr. Issa votes no.

4344 Mr. Buck.

4345 [No response.]

4346 Mr. Valdez. Mr. Gaetz.

4347 Mr. Gaetz. No.

4348 Mr. Valdez. Mr. Gaetz votes no.

4349 Mr. Johnson of Louisiana.

4350 Mr. Johnson of Louisiana. No.

4351 Mr. Valdez. Mr. Johnson of Louisiana votes no.
4352 Mr. Biggs.
4353 Mr. Biggs. No.
4354 Mr. Valdez. Mr. Biggs votes no.
4355 Mr. McClintock.
4356 Mr. McClintock. No.
4357 Mr. Valdez. Mr. McClintock votes no.
4358 Mr. Steube.
4359 Mr. Steube. No.
4360 Mr. Valdez. Mr. Steube votes no.
4361 Mr. Tiffany.
4362 Mr. Tiffany. No.
4363 Mr. Valdez. Mr. Tiffany votes no.
4364 Mr. Massie.
4365 Mr. Massie. No.
4366 Mr. Valdez. Mr. Massie votes no.
4367 Mr. Roy.
4368 Mr. Roy. No.
4369 Mr. Valdez. Mr. Roy votes no.
4370 Mr. Bishop.
4371 Mr. Bishop. No.
4372 Mr. Valdez. Mr. Bishop votes no.
4373 Ms. Fischbach.
4374 Ms. Fischbach. No.

4375 Mr. Valdez. Ms. Fischbach votes no.

4376 Mrs. Spartz.

4377 Mrs. Spartz. No.

4378 Mr. Valdez. Mrs. Spartz votes no.

4379 Mr. Fitzgerald.

4380 [No response.]

4381 Mr. Valdez. Mr. Bentz.

4382 Mr. Bentz. No.

4383 Mr. Valdez. Mr. Bentz votes no.

4384 Mr. Owens.

4385 [No response.]

4386 Chairman Nadler. Mrs. Demings?

4387 Mr. Valdez. Mrs. Demings, you are not recorded.

4388 Mrs. Demings. Yes.

4389 Mr. Valdez. Mrs. Demings votes yes.

4390 Chairman Nadler. Are there any other members who wish to

4391 be recorded who have not been recorded?

4392 Mr. Owens. Yes, Owens. How have I been recorded?

4393 Mr. Valdez. Mr. Owens, you are not recorded.

4394 Mr. Owens. Owens no.

4395 Mr. Valdez. Mr. Owens votes no.

4396 Chairman Nadler. Are there any other amendments -- members

4397 who wish to be recorded who haven't been recorded?

4398 [No response.]

4399 Chairman Nadler. The clerk will report.

4400 Mr. Valdez. Mr. Chairman, there are 22 ayes and --

4401 Chairman Nadler. Ms. Bass? Is Ms. Bass recorded?

4402 Mr. Valdez. Ms. Bass is not recorded.

4403 Chairman Nadler. Ms. Bass, you are not recorded on final

4404 passage of the bill.

4405 You need your -- your mike is off.

4406 Mr. Bass. Excuse me, how did -- Oh.

4407 Chairman Nadler. You are not recorded on final passage of

4408 the bill.

4409 Ms. Bass. I am not?

4410 Mr. Valdez. Correct.

4411 Ms. Bass. Bass votes aye.

4412 Mr. Valdez. Ms. Bass votes aye.

4413 Chairman Nadler. Are there any other members who wish to

4414 be recorded who haven't been recorded?

4415 [No response.]

4416 Chairman Nadler. The clerk will report.

4417 Mr. Lieu. Mr. Chairman, how am I recorded?

4418 Mr. Valdez. Mr. Lieu, you are recorded as aye.

4419 Mr. Lieu. Thank you.

4420 Mr. Valdez. Mr. Chairman, there are 23 ayes and 17 noes.

4421 Chairman Nadler. The bill, a reporting quorum being present

4422 -- I am sorry. The ayes have it, and the bill is ordered reported

4423 favorably to the House.

4424 Members will have two days to submit views. The bill will
4425 be reported with a single amendment in the nature of a substitute,
4426 incorporating all adopted amendments. Without objection, staff
4427 is authorized to make technical and conforming changes.

4428 H.R. 704, pursuant to notice I now call up H.R. 704, the
4429 Artistic Recognition For Talented Students Act, the ARTS Act,
4430 for purposes of markup.

4431 I move that the committee report the bill favorably to the
4432 House.

4433 The clerk will report the bill.

4434 Mr. Valdez. "H.R. 704, to amend section 708 of title 17
4435 -- "

4436 Chairman Nadler. Without objection, the bill is considered
4437 as read and open to amendment at any point. I will begin by
4438 recognizing myself for an opening statement.

4439 H.R. 704, the Artistic Recognition For Talented Students
4440 Act, the ARTS Act, to register of copyright, to waive the
4441 application fee to register a copyright for students who have
4442 won the Congressional Art Competition or the Congressional App
4443 Challenge.

4444 I thank the gentleman from New York, Mr. Jeffries, for his
4445 leadership in introducing this bipartisan, bicameral
4446 legislation, along with Representative Nancy Mace and the

4447 gentleman from California, Mr. Issa.

4448 Forty years ago, Congress sought to encourage the country's
4449 youth to pursue their creative passions by establishing the
4450 Congressional Art Competition. I, alongside many of us here
4451 today, host this district-wide competition where high school
4452 students compete to have their artwork hung in the halls of
4453 Congress.

4454 In 2013, Congress recognized the need to promote more student
4455 interest and participation in the science, technology,
4456 engineering, and mathematics skills, known as STEM. In an almost
4457 unanimous vote, the House established an academic STEM
4458 competition that led to the formation of the Congressional App
4459 Challenge. In the App Challenge, middle and high school students
4460 show off their coding skills and compete against others in their
4461 district.

4462 Year after year, in both of these competitions the talent
4463 our students display is remarkable. Through both, we continue
4464 to see our youth encouraged to develop their artistic and
4465 technical talents, as Congress intended. The ARTS Act makes
4466 these competitions even more impactful. Under the bill, students
4467 may apply to register a copyright for their winning artwork or
4468 winning app for free. This introduces these students to the
4469 intellectual property system and the benefits of copyright
4470 protection.

4471 We on this committee know just how important intellectual
4472 property rights are to our country and our economy. Yet, studies
4473 show that awareness of intellectual property is lacking among
4474 the country's students, even as they pursue fields that are
4475 IT-intensive.

4476 The ARTS Act helps close this awareness gap early on, and
4477 allows these students to participate in the intellectual property
4478 system without a financial burden. Under current law, the
4479 Register of Copyrights cannot waive these fees on her own. The
4480 ARTS Act amends the Copyright Act to allow such a fee waiver in
4481 these specific circumstances.

4482 I again applaud Mr. Jeffries for bringing this important
4483 legislation which will aid the next generation of creators and
4484 innovators. I urge my colleagues to support H.R. 704.

4485 I now recognize the distinguished ranking member of the
4486 Judiciary Committee, the gentleman from Ohio, Mr. Jordan, for
4487 his opening statement.

4488 Mr. Jordan. Thank you, Mr. Chairman.

4489 H.R. 704 directs, as you said, the Copyright Office to waive
4490 copyright registration fees for winners of the Congressional Art
4491 Competition and the Congressional App Challenge. This is a good
4492 bill. The Congressional Art Competition is a great competition.

4493 We all get to support highly talented students in our districts.
4494 And the winners, of course, get to hang their, their winning

4495 artwork in the Capitol.

4496 But, is this really why the American people sent us to
4497 Washington. More than three months into this Congress, this
4498 committee is yet to have a full hearing. We have FBI Director
4499 Wray, who I would love to talk to. I think many members would.

4500 We have Secretary Mayorkas we would love to talk to about
4501 the crisis on our border. There is an unprecedented crisis, a
4502 chaotic situation on our southern border caused by President
4503 Biden's immigration policy changes. There is a dangerous
4504 phenomenon of cancel culture spreading the nation, silencing
4505 dissenting thought and disagreement. American businesses are
4506 still closed. The right to worship is still restricted in places
4507 throughout the country. And American liberties are curtailed.

4508 With all the challenges facing our country, this is the bill
4509 that makes the cut? This is one of our top priorities?

4510 This committee has jurisdiction over some of the most
4511 important and pressing issues facing Americans today, issues that
4512 directly threaten their fundamental liberties. Rather than
4513 working with Republicans to address those issues, Democrats want
4514 to give every member of Congress an annual gift certificate for
4515 a free copyright registration that they get to hand out to their
4516 constituents.

4517 Again, no one disputes the idea of the art competition.
4518 We are having our art, we are determining our winners next week

4519 at an event we do every year in our district. I am sure many
4520 members are doing the same thing in the next few weeks. It is
4521 an important competition, but we have important issues that we
4522 should be addressing. Hopefully support this bill but, more
4523 importantly, I hope we address those critical issues that the
4524 country should like for us to weigh in on.

4525 With that, Mr. Chairman, I yield back.

4526 Chairman Nadler. The gentleman yields back.

4527 Without objection, all other opening statements will be
4528 included in the record.

4529 [The information follows:]

4530

4531 *****COMMITTEE INSERT*****

4532 Chairman Nadler. Are there any amendments to H.R. 704?

4533 For what purpose does Mr. Jeffries seek recognition?

4534 Mr. Jeffries. I move to strike the last word.

4535 Chairman Nadler. The gentleman is recognized.

4536 Mr. Jeffries. Thank you, Mr. Chairman, for yielding and
4537 for your support

4538 I thank the ranking members for his support as well.

4539 I rise in support of H.R. 704, the ARTS Act, a bipartisan,
4540 bicameral effort to support student creators, help ignite their
4541 passions, and allow them to dream big.

4542 The framers of the Constitution and the founders of our great
4543 country understood that society will benefit if we incentivize
4544 creativity and innovation. That is why Article I, Section 8,
4545 Clause 8 of the United States Constitution gives Congress the
4546 power to create a robust intellectual property system to promote,
4547 in the words of the framers, the progress of science and useful
4548 arts.

4549 Many of our founders, of course, were authors and inventors
4550 themselves. As Judiciary Committee members, we have often worked
4551 together in a bipartisan fashion to carry out this constitutional
4552 mandate. The ARTS Act seeks to build upon this principle and
4553 practice by helping to introduce the next generation of creators
4554 from around the country to copyright and intellectual property,
4555 specifically, to make the Register of Copyrights to waive

4556 application filing fees to register copyrights for those talented
4557 high school students who win the Congressional Art Competition
4558 or the Congressional App Competition each year.

4559 By doing so, student creators will be incentivized in the
4560 best traditions of the framework laid out in the Constitution
4561 to register their works, allowing them to gain experience with
4562 the copyright process and insight into subsequent benefits.

4563 Last Congress, this bill unanimously passed the Senate, and
4564 it has bipartisan support in both chambers. I would like to thank
4565 the co-lead on this bill, Representative Nancy Mace, for her
4566 partnership, as well as Senators Tillis, Leahy, Congressman Issa,
4567 Congresswoman Spartz, Congressmen Nadler and Cicilline and
4568 Johnson for helping to partner on this effort.

4569 I urge my colleagues to support our nation's next generation
4570 of creators and vote yes on this straightforward bipartisan,
4571 bicameral legislation.

4572 And I yield back.

4573 Ms. Garcia. [Presiding.] Do any other members seek
4574 recognition? Any other members seek recognition?

4575 Mrs. McBath. I seek recognition. Rep. McBath.

4576 Ms. Garcia. For what purpose does the gentlelady seek
4577 recognition?

4578 Mrs. McBath. I move to strike the last word.

4579 Ms. Garcia. The gentlelady is recognized.

4580 Mrs. McBath. Thank you so much, Madam Chair. And I would
4581 just have to say that I absolutely think that in light of
4582 everything that our students across the country have suffered
4583 this last year with COVID-19 that this is a wonderful way through
4584 bipartisanship to celebrate them, to celebrate their ingenuity,
4585 their creativity, their strength, their academia. And I
4586 unequivocally support Congressman Jeffries for putting forth H.R.
4587 704.

4588 This is bipartisan legislation that provides just another
4589 opportunity for our nation's young artists and innovators. And
4590 I had the great pleasure myself of bringing together curators,
4591 and teachers, and artists, and students for the Congressional
4592 Art Challenge in Georgia's 6th Congressional District. This
4593 competition definitely creates an important opportunity to
4594 celebrate the visual arts and the young artists in each of our
4595 communities.

4596 What a privilege to give these students an opportunity to
4597 display their artwork in the Capitol and in my offices in D.C.
4598 and in Georgia. And I have been blown away by their talent, as
4599 each of us has been blown away by the students that have won these
4600 competitions. And I look forward to bringing our artistic
4601 community together again for this event next month.

4602 Likewise, I have had the pleasure of seeing the incredible
4603 work put forth by my district in the computer sciences in the

4604 Congressional App Challenge. And I was so impressed with each
4605 of the apps that were submitted to this year's competition.

4606 I was glad to keep improving opportunities for our young
4607 people to participate in STEM classes that not only teach them
4608 the core skills that they need, but also inspires a lifelong
4609 appreciation of science and technology. And that is needed for
4610 them now more than ever.

4611 And this legislation really includes these excellent
4612 programs by creating another way for students to improve their
4613 mind, registering their work with the Copyright Office. And I
4614 hope that this bill continues to allow students to build on their
4615 achievements by registering their work and learning about how
4616 they can assert ownership of their own intellectual property.

4617 That is what we are trying to teach young people across the
4618 country.

4619 We talk about giving them ownership and being able to be
4620 part of our thriving economy and to stimulate it. This is one
4621 of the ways that we put them on that track, put them on the right
4622 path for doing so.

4623 So, I am so pleased to support our young creators in arts
4624 and sciences with the passage of this bill. And I urge all of
4625 my colleagues to support this bill as well.

4626 And I yield back the balance of my time.

4627 Chairman Nadler. [Presiding.] The gentlelady yields back.

4628 Does anyone else seek recognition?

4629 [No response.]

4630 Chairman Nadler. If not, a reporting quorum being present,
4631 the question is on the motion to report the bill H.R. 704 favorably
4632 to the House.

4633 Those in favor, say aye.

4634 Opposed, no.

4635 The ayes have it, and the bill is reported favorably to the
4636 House.

4637 Members will have two days to submit views.

4638 This concludes our business for today. Thanks to all of
4639 our members for attending. Without objection, the markup is
4640 adjourned.

4641 [Whereupon, at 2:28 p.m., the committee was adjourned.]