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4 MARKUP OF H.RES. 819, DIRECTING THE ATTORNEY GENERAL OF THE
5 UNITED STATES TO TRANSMIT TO THE HOUSE OF REPRESENTATIVES,
6 NOT LATER THAN 14 DAYS AFTER THE DATE OF THE ADOPTION OF
7 THIS RESOLUTION, ANY DOCUMENTS AND LEGAL MEMORANDA IN THE
8 ATTORNEY GENERAL'S POSSESSION RELATING TO THE PRACTICE OF
9 TARGETED KILLING OF UNITED STATES CITIZENS AND TARGETS
10 ABROAD

11 Thursday, December 13, 2012

12 House of Representatives

13 Committee on the Judiciary

14 Washington, D.C.

15 The committee met, pursuant to call, at 10:10 a.m., in

16 Room 2141, Rayburn Office Building, Hon. Lamar Smith

17 [chairman of the committee] presiding.

18 Present: Representatives Smith, Sensenbrenner, Coble,
19 Goodlatte, Lungren, Chabot, Issa, Forbes, Franks, Poe,
20 Marino, Gowdy, Adams, Amodei, Conyers, Nadler, Scott, Watt,
21 Lofgren, Jackson Lee, Quigley, Chu, and Polis.

22 Staff present: Richard Hertling, Majority Staff
23 Director and Chief Counsel; Travis Norton, Majority General
24 Counsel and Parliamentarian; Holt Lackey, Chief Majority
25 Oversight Counsel; Kayla Munro, Majority Clerk; Perry
26 Apelbaum, Minority Staff Director; Aaron Hiller, Chief
27 Democratic Oversight Counsel; and Danielle Brown, Minority
28 Parliamentarian.

29

30 Chairman Smith. The Judiciary Committee will come to
31 order.

32 Without objection, the chair is authorized to declare
33 recesses of the committee at any time.

34 Before we take up the legislation that has been noticed,
35 I have a couple of remarks to make about a former chairman
36 who recently passed away. And so I would like to recognize
37 myself for comments about former chairman Jack Brooks, and
38 then I will recognize the ranking member as well.

39 Last week, the country lost a true public servant and
40 one of the longest-serving members of the House. A former
41 chairman of this committee, Jack spent 42 years in Congress
42 representing southeast Texas and working as a strong
43 advocate for civil rights reform. He served as chairman
44 from 1989 to 1995.

45 Jack was also chairman of the House Government
46 Operations Committee, where he grilled Federal officers that
47 wasted taxpayer dollars and operated inefficiently. His
48 Inspector General Act established the Offices of Inspector
49 General in Federal agencies to serve as the first line of
50 defense against waste, fraud, and abuse.

51 As a member of the Texas congressional delegation, he
52 was a close friend of House Speaker Sam Rayburn and Senate
53 Majority Leader Lyndon B. Johnson. He was also in the
54 Dallas motorcade in 1963 when President John F. Kennedy was
55 assassinated.

56 Jack was first elected to the House in 1952 and
57 reelected by his constituents 20 more times. Records show
58 that there were nearly 14,000 roll calls votes during his
59 tenure. His longevity in office was matched only by his
60 vibrant personality. Jack Brooks was known to chew on his
61 trademark cigar, even from behind this dais.

62 Jack Brooks was a tireless public servant, and he will
63 be missed. I am looking at his -- where is his portrait?
64 It is behind me on the left-hand side is a portrait of Jack
65 Brooks.

66 The gentleman from Michigan, the ranking member of the
67 Judiciary Committee, Mr. Conyers, is recognized for his
68 comments.

69 Mr. Conyers. Thank you, Chairman Smith, and members of
70 Judiciary. I think it is quite appropriate that we remember
71 the former chairman of this committee, Jack Brooks of Texas.

72 I remember him as the third chairman of the Judiciary
73 Committee since I have been on it. Preceding Chairman
74 Brooks was Peter Rodino of New Jersey, and preceding
75 Chairman Rodino was Manny Seller of New York. And then
76 after Chairman Jack Brooks came Henry Hyde, and then came
77 Jim Sensenbrenner, and then came myself, and presently we
78 have Chairman Lamar Smith. And in the next Congress, we
79 will have Chairman-elect Robert Goodlatte.

80 And so I remember this string of leaders past, present,
81 and future, in a special way because this is the committee
82 that I asked to be assigned to when I first came to
83 Congress. And through then Speaker John McCormack, that was
84 able to occur.

85 I saw firsthand the constitutional questions, the civil
86 rights laws, and many other important matters, including
87 some impeachment resolutions. And I wanted to fondly
88 remember Jack Brooks. He actually led an effort to hold
89 President Nixon accountable for what he thought were
90 impeachable offenses. And that impeachment hearing was
91 averted by President Nixon resigning and leaving his office
92 in Washington, D.C.

93 As chairman of the committee from 1989 through 1995,
94 Chairman Brooks oversaw the passage of the Americans with
95 Disabilities Act, Violent Crime Control and Law Enforcement
96 Act, and the modernization of the Civil Rights Act. I am
97 proud to have served with him and those of you who were
98 around at that time to do the same.

99 The Judiciary Committee and the Nation benefitted
100 greatly from his leadership. Thank you, Mr. Chairman.

101 Chairman Smith. Thank you, Mr. Conyers. Pursuant to
102 notice, I now call up H. Res. 819 for purposes of mark up.
103 And the clerk will report the resolution.

104 Ms. Munro. H. Res. 819, directing the Attorney General
105 of the United States to transmit to the House of
106 Representatives, not later than 14 days after the date of --

107 Chairman Smith. Without objection, the resolution is
108 considered as read.

109 [The information follows:]

110

111 Chairman Smith. And I will recognize myself for an
112 opening statement, and then the ranking member.

113 The sole item on today's agenda is H. Res. 819, which
114 was introduced by Representative Kucinich on November 28th,
115 and referred to the Judiciary Committee.

116 The resolution requires the Attorney General to turn
117 over any documents and legal memoranda in his possession
118 related to the practice of targeted killing of United States
119 citizens and targets abroad. It is a response to the
120 killing of a leading Al-Qaeda member and his son in Yemen.

121 Under the rules of the House, unless this committee acts
122 within 14 legislative days, the resolution would become
123 privileged. So I urge the committee to report the
124 resolution unfavorably.

125 A resolution of inquiry is a rare procedure. It would
126 be appropriate in such a sensitive matter if more ordinary
127 paths of oversight had been blocked. With respect to its
128 targeted killing program, the Administration has not yet
129 demonstrated the sort of obstruction that would warrant this
130 extraordinary measure.

131 Administration officials involved in covert actions are

132 already required to give the House and Senate Intelligence
133 Committees requested material related to those actions.
134 There is no evidence that that the Administration has failed
135 in this responsibility to disclose details of the targeted
136 killing program.

137 Both Intelligence Committees have conducted extensive
138 oversight on every aspect of the program. This includes its
139 legality, effectiveness, precision, foreign policy
140 implications, and the care that is taken to minimize
141 noncombatant casualties.

142 Oversight of the Administration's drone program has also
143 been conducted by members of this committee. Ranking Member
144 Conyers along with Representatives Nadler and Scott have
145 sent letters seeking more information about the drone
146 program, and have received responsive documents. These
147 members of this committee sent their latest correspondence
148 just last week, and I trust that they intend to continue
149 their dialogue with the Justice Department, and will report
150 back their findings.

151 In a speech at Northwestern Law School, Attorney General
152 Holder described the circumstances in which he believes that

153 targeting of senior leaders of Al-Qaeda abroad is lawful,
154 even if the terrorists in question happen to be American
155 citizens.

156 The Attorney General argued that "Such a strike is
157 appropriate only if 3 conditions are met. These are, first,
158 the United States government has determined after a thorough
159 and careful review that the individual poses an imminent
160 threat of violent attack against the United States; second,
161 capture is not feasible; and third, the operation would be
162 conducted in a manner consistent with applicable law of war
163 principles."

164 Some may disagree with the Attorney General's
165 conclusions that continuing oversight of the program is
166 necessary. But the Administration has made at least some
167 effort to disclose the program's existence, its legal
168 rationale, and the standards and protections the
169 Administration applies to the program.

170 Congress' traditional oversight efforts are not yet at
171 the sort of impasse that would justify a rare procedure,
172 like a resolution of inquiry. So I feel we should report
173 this measure unfavorably.

174 At the same time, all of us who know Congress Kucinich
175 recognize that his views are sincerely held, and we
176 appreciate the public service he has given to our country.

177 That concludes my opening statement. And the gentleman
178 from Michigan is recognized for his.

179 Mr. Conyers. Thank you, Chairman Smith, and I commend
180 you for your comments. And I want to begin by indicating
181 that I think this is an incredibly important subject, and I
182 am not sure if it is going to be resolved this morning or
183 not. I would like to work with you and other members of the
184 committee to determine just what we might want to consider
185 doing after today's action.

186 I, too, have a great respect for our outgoing member
187 from Cleveland, Ohio, and I feel very strongly about this
188 subject. Unmanned aerial vehicles raises a very serious
189 concern for me because as a follower of Martin Luther King,
190 Jr., I believe that justice and peace requires that we try
191 to live up to those goals to the maximum extent possible.

192 I do not know what the Intelligence Committee has done
193 with regard to this subject matter because most of their
194 procedures are not public. But I would like to try to get

195 an idea about it.

196 This resolution directs the Administration to transmit
197 to the House of Representatives any documents and legal
198 memoranda in the Attorney General's possession related to
199 the practice of targeted killing of United States citizens
200 and targets abroad.

201 Now, the Obama Administration was not the first to use
202 unmanned aerial vehicles or drones in its hunt for suspected
203 terrorists. But it has over the past 4 years apparently
204 expanded the program dramatically. And I am deeply
205 concerned by reports that American citizens have been
206 targeted in some of these operations. Signature strikes
207 where drone target suspicious behavior rather than specific
208 individuals is a great concern of mine.

209 I am concerned that some of these individuals have been
210 killed far from an active battlefield, and I am concerned
211 that the legal rationale for this program remains, for the
212 most part, secret.

213 Because of these concerns, the ranking member of the
214 Constitution Subcommittee, Jerrold Nadler of New York, the
215 ranking member of the Subcommittee on Crime, Bobby Scott of

216 Virginia, and myself have together written Attorney Holder
217 on 3 separate occasions requesting the legal and factual
218 justification for these programs.

219 We have also urged the Attorney General to make at least
220 some portion of this analysis available to the public. And
221 we have, I think, made limited progress. The Attorney
222 General and other senior Administration officials seem to
223 have begun to publicly discuss their rationale for targeted
224 strikes. The Department of Justice has also provided some
225 legal support or justification of this activity.

226 So what we are doing today is something that the author
227 of this resolution has not consulted, to my knowledge, with
228 anybody on this committee about, including myself. And I
229 think that this is an inappropriate way to begin the
230 examination of questions of this magnitude.

231 And I wanted to share these opening views with my
232 colleagues, and I thank the chairman for his time.

233 Chairman Smith. Thank you, Mr. Conyers. Are there
234 other members who wish to be heard?

235 The gentleman from California, Mr. Issa, is recognized.

236 Mr. Issa. Mr. Chairman, I am going to support the

237 decision not to support this resolution. But I would like
238 to speak on the principle that Mr. Kucinich is rightfully so
239 articulating, one that I believe this committee has
240 exclusive jurisdiction in and needs to bring up in the next
241 Congress.

242 The rights, the civil rights, of a U.S. person is
243 something that has long been special, and we can all
244 understand that this example would be a poor example to
245 bring up to make a decision. This was a person most of us
246 believe essentially renounced his citizenship, left the
247 country, and advocated violence, helped in an orchestrated
248 way.

249 But let us understand that unless there are reiterations
250 by this committee and by Congress and by any Administration,
251 that a U.S. person does have special rights. As the ranking
252 member said, Martin Luther King said things people did not
253 like in this country. He did not say things that were
254 illegal, and yet he was locked at times for it. Had he left
255 the country, would he have been a legal target for his
256 advocacy, particularly if some said it led to violence? I
257 believe that that special care has to be part of our system,

258 that the targeting of a U.S. person in or out of the United
259 States has to live up the most stringent rules.

260 I disagree with one point that was implied, and that is
261 that the Attorney General has cooperated. This Attorney
262 General has been held in contempt by the House of
263 Representatives on a bipartisan basis because he has
264 consistently been aloof and unwilling to participate or
265 supply information reasonably believed to be in Congress'
266 rightful jurisdiction.

267 But that does not change the fact that the decision
268 about U.S. persons, the laws related to U.S. persons, go
269 beyond one example for Mr. Kucinich wants underlying
270 information. And it goes to the real question of, will this
271 committee in the next Congress look at the civil rights
272 broadly of American persons outside the United States and
273 reiterate that, in fact, what you cannot be assassinated for
274 in the U.S., you should not be, you know, assassinated
275 outside the U.S.. And what you can be tried for in the U.S.
276 does not mean that you will be convicted or executed. And I
277 think that is an important principle because people will say
278 things that we do not like in the U.S., and we are used to

279 that. They will say things we do not like outside the U.S.,
280 even denouncing our country. And I believe they will still
281 have that right.

282 If they promote violence and attacks against Americans
283 in such a way as to be combatants on the battlefield, then
284 there need to be remedies. And whether those remedies are
285 with a man and a trigger in an aircraft or a drone to me is
286 not the real question. And I hope that this committee will
287 go to its core of civil rights in the next Congress, not on
288 this example, but on the examples that ultimately we have
289 stood for as the committee of civil rights, as noted
290 earlier, since Chairman Brooks and well before.

291 And I thank the chairman for his indulgence in this
292 case, and I support the chairman's position. And I would
293 yield back.

294 Chairman Smith. Thank you, Mr. Issa. Are there other
295 members? The gentleman from New York, Mr. Nadler, is
296 recognized.

297 Mr. Nadler. Thank you, Mr. Chairman. Today we consider
298 an issue of vital importance to our Nation, to the rule of
299 law, and to our standing in the community of nations.

300 It has been reported that since 2004, the Central
301 Intelligence Agency has conducted 320 drone strikes in
302 Pakistan, killing at least 2,560 people, including at least
303 139 civilians. Another 55 strikes have taken place in
304 Yemen. These strikes have been aimed either at specific
305 individuals -- so-called personality strikes -- or at sites
306 that show evidence of terrorist activity referred to as
307 signature strikes.

308 While there have been some steps taken by the
309 Administration to provide information to the public about
310 the legal and procedural justification for personality
311 strikes, with that information coming directly from high-
312 ranking Administration officials, including Attorney General
313 Holder and President Obama's top antiterrorism advisor, John
314 Brennan. The Administration has yet to confirm the use of
315 signature strikes and has resisted our ongoing efforts to
316 obtain information, even on a classified basis, regarding
317 the legal or factual principles governing this broader use
318 of lethal force. This has been frustrating to say the
319 least.

320 Along with the distinguished ranking member of the full

321 committee, Mr. Conyers, and the distinguished ranking member
322 of the Subcommittee on Crime, Mr. Scott, I have pushed the
323 Administration to make more information publicly available
324 and to provide this committee with information and briefings
325 essential to enable us to fulfill our oversight obligations
326 and to ensure meaningful review of executive branch actions.

327 We have written to the Attorney General on several
328 occasions, and we have been in discussions with the Justice
329 Department and the Administration for more than a year in an
330 effort to obtain this information. We have received some of
331 the legal background the Administration has relied on, but
332 the process has been painfully slow, and I believe the
333 response that we have received to date has been inadequate.

334 I, therefore, want to commend our colleague from Ohio
335 for his efforts to obtain information to which Congress is
336 entitled. While this resolution has its flaws, it has
337 occasioned the first real discussion that the Judiciary
338 Committee has had on the topic of drone strikes.

339 The power to wage war and to order the killing of any
340 person, much less an American citizen, is perhaps the most
341 awesome power the President has. The framers of our

342 Constitution rightly placed stringent limits on the
343 authority of any one individual to take the Nation down that
344 road.

345 It is the Congress that must take responsibility for
346 declaring and funding any and all wars and for ensuring
347 adequate oversight of the President exercises the authority
348 to wage war that he has been granted.

349 The Administration's case for its legal authority to
350 execute the drone program relies largely on the authority
351 granted by the Congress in the Authorization for the Use of
352 Military Force, the AUMF, of September 18th, 2001. This
353 committee as the guardian of the Constitution and the
354 Congress has an obligation to look very closely at any
355 assertion of executive power, especially when it comes to
356 the power to wage war.

357 It is highly regrettable that the committee has not done
358 so, failing entirely to hold even a single hearing to
359 explore this critically important topic. And I hope that in
360 the next Congress, we will take a more active and bipartisan
361 role in examining lethal targeting and the use of drones,
362 the extent to which that use is lawful under the AUMF or

363 under other legal authority, and whether Congress should act
364 in some way on this subject.

365 So I want to commend the gentleman from Ohio for his
366 effort, and I look forward to working with my colleagues to
367 bring greater clarity and legal accountability to this
368 program in the future.

369 Thank you, Mr. Chairman. I yield back.

370 Chairman Smith. Thank you, Mr. Nadler. The gentleman
371 from Texas, Mr. Poe, is recognized.

372 Mr. Poe. Thank you, Mr. Chairman. And I want to thank
373 you for your chairmanship of this committee. Appreciate
374 your work on every issue.

375 I will support the chairman's position on this
376 resolution because I think procedurally this is not the way
377 to go. But I would like to echo some of the comments
378 already been made.

379 My concern is not why drones are used or when they are
380 used, but the legal authority for the use of drones, whether
381 it is against American citizens or signature strikes. And I
382 would hope in the future the committee gets this issue, the
383 legal authority for the use of strikes by drones overseas,

384 we get that answer. And we can deal with the rest of the
385 problems or the issues regarding overseas once we have
386 concrete legal authority, if any, for the use of drones in
387 this particular situation that is mentioned in Mr.
388 Kucinich's resolution.

389 So I look forward to dealing with that specific issue of
390 legal authority. And I will yield back my time.

391 Chairman Smith. Thank you, Mr. Poe. The gentleman from
392 Virginia, Mr. Scott, seeks recognition?

393 Mr. Scott. Yes, please.

394 Chairman Smith. The gentleman is recognized for 5
395 minutes.

396 Mr. Scott. Thank you, Mr. Chairman. Mr. Chairman,
397 obviously your rights when we are at war are no going to be
398 the same as your rights when we are not at war. And your
399 rights overseas are not going to be the same as your rights
400 when you are in the country. But when you have a process
401 that puts American citizens on a kill list, I think it is
402 important to have clarity as to how you get on the list and
403 how you ascertain the standards apparently to get on the
404 list you have to be a targeted person, a senior member of

405 Al-Qaeda operative, or allied operative, the person presents
406 an imminent threat to the United States, person cannot be
407 captured in the country in which a person is located that
408 either consented to the strikes or has indicated its
409 unwillingness to take steps necessary to ending the threat
410 to the United States.

411 Those seem to be reasonable standard, but there is no
412 process to make sure you have got the information right.
413 You cannot question the accuracy. You cannot cross examine
414 the witnesses. Once somebody has, by whatever standard,
415 whatever process, comes to those conclusions, there is no
416 right of appeal, and you are a target. We need clarity as
417 the gentleman from Texas pointed out on the legal authority
418 to do this, but also clarity on the process and the whatever
419 checks and balances there may be.

420 This information is extremely important. The resolution
421 asks for that information. But as other have indicated, we
422 are in the process of going back and forth getting the
423 information. Actually the information that we are
424 requesting is actually broader than what is in the
425 resolution. The resolution just talks about targeted -- we

426 are looking for both the targeted and the signature strikes
427 where an individual is not named.

428 We are in the process of getting this information. I
429 think the resolution at this point is premature, but we need
430 to continue, as others have indicated, making sure we get to
431 the bottom of it.

432 Thank you, Mr. Chairman. I yield back.

433 Chairman Smith. Thank you, Mr. Scott. Are there are
434 other members who wish to be heard? The gentlewoman from
435 Texas, Ms. Jackson Lee.

436 Ms. Jackson Lee. Thank you very much, Mr. Chairman.
437 Before I start my remarks, Mr. Chairman, if I might for the
438 record, first of all thank you for your service, and
439 certainly we have had some enormous successes during the
440 tenure of both you and Mr. Conyers. And I thank you so very
441 much for the service and look forward to working with you
442 going forward.

443 Chairman Smith. Thank you.

444 Ms. Jackson Lee. And I also want to add my remarks to
445 the late Jack Brooks. I was able to attend his funeral in
446 Beaumont this past weekend, and many know that he remained a

447 steadfast friend of this committee, chairperson of this
448 committee, chairman of this committee. And everybody knows
449 how tough Jack Brooks was, but he loved his country, and he
450 loved the Constitution. And I wanted to acknowledge him in
451 his passing and to say to Charlotte and his family we offer
452 them our deepest sympathy.

453 Possibly in the time that Jack Brooks was the
454 chairperson here, he might have convened over a similar
455 discussion had it been in his time.

456 I want to raise the issue, and I want to acknowledge the
457 work of Ranking Member Conyers, Nadler, and Scott, who over
458 the years have sent letters on this very question. And I am
459 disappointed that it has been such a long period of time
460 that we have yet not been able to get answers on the
461 utilization of drones.

462 And so as this resolution comes forward, its underlying
463 premise has merit, which is to seek documents and legal
464 memoranda to answer the question on the practice of
465 targeting allegedly and killing United States citizens, and
466 the collateral damage of drones as well.

467 I ask unanimous consent to put into the record an

468 article from the Atlantic Council, "Drone Strike on
469 Democracy." I ask unanimous consent --

470 Chairman Smith. Without objection.

471 [The information follows:]

472

473 Ms. Jackson Lee. And take just a brief comment from
474 this article, which speaks to the idea of the percentage of
475 noncombatants killed. But according to at least one major
476 study, has bred a climate of fear and resentment among
477 civilian populations in those societies that we really would
478 want to be an ally, short of the horrific person who engages
479 in terrorism.

480 When you think of an American citizen abroad, you think
481 of the imam in Yemen and his 16-year-old son. And we do not
482 want to be associated with the likes of that individual.
483 But I believe this committee has a responsibility, and I am
484 glad that we have opened this debate to project into the
485 future a hearing about the utilization of drones.

486 When you are in your district, you hear local police
487 departments being excited about the utilization of drones.
488 My concern is what is the level of the invasion of privacy
489 of American citizens both here and abroad? How is this tool,
490 albeit a scientific genius, often showed off or often shown
491 in some of our best spy movies, how can we ensure that we
492 are protecting the constitutional rights of privacy, the
493 Fourth Amendment, the protection against unreasonable

494 searches and seizures if it can be interpreted as such? And
495 I believe those questions should be answered. This is sort
496 of the expanded realm and parameters of what this resolution
497 is attempting to do.

498 So, members, as we move forward, I would hope that we
499 would consider this as a very serious issue as we are
500 considering the new advances in technology as it relates to
501 the privacy of the American citizen. We are going to have
502 to address it. We look forward and ask that the
503 Administration address it.

504 We know that drones can provide a safety net for the men
505 and women of the United States military in harm's way. I am
506 glad for that. I celebrate that. But at the same time,
507 where there is goodness, we have to address the question of
508 how much damage it also brings about. That is a fair
509 question for this committee, a fair question for a number of
510 committees of jurisdiction. But I hold to the fact that
511 this committee, which is the holder and protector of the
512 Constitution must answer this question. And the members of
513 this Congress must in debate and discourse answer this
514 question as well in the global discourse and debate on the

515 floor of the House or the floor of the Senate.

516 So I add my support for the concept of what has to be
517 done going forward, and it is most helpful that this
518 resolution has opened up a vital and important debate, Mr.
519 Chairman, as I yield, that coddles the Constitution. And
520 that is the job of the House Judiciary Committee on behalf
521 of the American people.

522 Mr. Chairman, I yield back.

523 Chairman Smith. Thank you, Ms. Jackson Lee. The
524 gentlewoman from California, Ms. Chu, is recognized.

525 Ms. Chu. Well, I have many unanswered questions about
526 how the U.S. is using drones abroad. I believe that members
527 of Congress, and especially the Judiciary Committee, have a
528 critical oversight responsibility to balance the national
529 security of our Nation with respect for the rule of law.

530 For example, it has been reported that after one
531 significant strike, another follows immediately, resulting
532 in civilian rescuers being injured and killed. These drone
533 attacks are leaving people afraid to go to group gatherings,
534 like weddings.

535 Since 2004, the CIA has conducted 320 drone strikes in

536 Pakistan alone. It has resulted in the deaths of 2,560
537 people. But what is very worrisome is the 139 civilians.

538 There needs to be greater oversight in the use of
539 drones. This resolution raises this issue, and I hope that
540 this committee will look into this and other issues
541 pertaining to it in the next Congress. Thank you.

542 Chairman Smith. Thank you, Ms. Chu.

543 I am going to recognize myself for purposes of offering
544 a motion. And I now move that the resolution be reported
545 adversely to the House.

546 The question is on the motion. Those in favor say aye?
547 Opposed, no?

548 In the opinion of the chair, the resolution is reported
549 adversely, and the ayes have it.

550 There being no further business, we stand adjourned.

551 Let me say to members that there is a good possibility
552 we will have a markup of one bill next week. And that will
553 conclude our business for the year.

554 It is likely to be a bill by the gentleman from Texas,
555 Mr. Poe.

556 [Whereupon, at 10:43 a.m. the committee was adjourned.]